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The Journal of Rockingham County History and Genealogy



The Rockingham County Historical Society, Inc.
VOLUME XXVI NUMBER 1 June 2001

The Journal of Rockingham County History and Genealogy

The Journal is published semiannually in June and December by the Rockingham County Historical Society, Inc. Box 84, Wentworth, N. C. 27375. Members of the society, for which the annual dues are \$12.00 for an individual and \$15.00 for a family membership, receive the journal. Beginning with the June 1997 issue of the Journal, individual copies may be purchased for \$6.00 per number plus \$1.75 mailing charge. A price list of back issues and other publications is available upon request.

Editorial Policy

The publication committee is interested in receiving articles on the history and genealogical source materials of Rockingham County and the adjacent area. The historical articles must be well written and thoroughly documented. Genealogical articles should consist of previously unpublished primary source materials pertaining to Rockingham County, such as abstracts of local records and edited dairies, letters, or church records. Papers on family history should not be submitted. All copy, including footnotes, should be typed, double-spaced. Articles and correspondence should be sent to the Editor: Robert W. Carter, Jr., 1141 Irvin Farm Road, Reidsville, N. C. 27320.

About The Cover

The cover illustration is from William Cook's post route map of North Carolina published in 1857. The map shows post offices and post routes of that year. The original map is in The Library of Congress, Washington, D.C.

Courtesy of
Historical Collections Room
Rockingham Community College
Wentworth, North Carolina

The Journal of Rockingham County History and Genealogy

VOLUME XXVI NUMBER 1 June 2001

Contents

Rockingham County Court Minutes

February Term 1857

Transcribed by Susan G. Irving 1

May Term 1857

Transcribed by Susan G. Irving 32

NORTH CAROLINA COURT MINUTES: A GENERAL OVERVIEW

In North Carolina from colonial times until 1868 the county was the primary political and geographical unit. The court of pleas and quarter sessions composed of justices of the peace administered the affairs of the county. In the early history of the court the justices were appointed by the governor on recommendation from members of a particular county's legislative delegation. Later members of the court were appointed by the legislature. The justices were usually prominent citizens of the county and their appointment was for life. During the nineteenth century with ever-increasing appointments the court became quite large with as many as forty to fifty justices serving. State law required only a quorum of three justices to conduct business but usually four to six were in attendance. When important business was to be transacted additional justices were present.

The responsibilities of the court of pleas and quarter session included: hearing civil suits and minor criminal cases; summoning and selecting juries; issuing writs, subpoenas and executions; providing for public buildings, probating estates, hearing petitions; ruling on individual cases of lunacy, caring for orphans and illegitimate children; maintaining public roads and bridges, regulation of building gristmills and granting licenses to taverns.

The court also appointed a clerk of court, a registrar of deeds, a county attorney, county trustee (treasurer), surveyor, wardens of the poor, patrollers (for overseeing the behavior of slaves and free blacks), sheriff, constables (minor peace officers), ranger (for dealing with roving livestock), entry takers (who process state land grant applications), and superintendents of the common schools (after 1839). The officers had to swear an oath to perform their duties and post a bond guaranteeing their actions according to law.

The county court set the local rate and appointed individuals to list, assess and collect taxes. The court also directed the use of the tax revenue that was collected. The county was divided into militia captains' districts and these subdivisions also served for the collection of taxes. By the 1840s the districts were being named for either local landmarks or American patriots.

The minutes of the court of pleas and quarter sessions were recorded in manuscript volumes. Often the handwriting is difficult to read but because the records contain so much valuable information about people and places in the county they are an excellent resource for researchers of genealogy and local history. The surviving court minutes were sent to the North Carolina State Archives many years ago. They have been microfilmed and are part of the core collection of local county records. Many larger libraries have these records for their own respective counties.

The Rockingham County Historical Society wishes to thank Susan G. Irving for her excellent work in preparing for publication the court minutes of the February and May 1857 sessions. Mrs. Irving has retained the original spelling and inconsistencies used in the minutes and researchers are thus encouraged to search for all possible spelling of their family names. The December 2001 Journal will contain the minutes of the August and November 1857 sessions.

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Butler, Lindley S., *Rockingham County: A Brief History*, Raleigh: North Carolina Department of Cultural Resources, 1983, rpt. 1997.

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State of North Carolina }
 Rockingham County }

Be it remembered that at a Court of Pleas and Quarter Session began and held for the County of Rockingham, at the Court House in Wentworth on the fourth Monday of February 1857 it being the 23rd of the Month.

Present on the bench
F. L. Simpson
George L Aikin
Alex. M. Roach

Where and when **James Roberts** Sheriff of said County returned to Court the following persons summons as Jurors for this Term to wit-

- | | | |
|------------------------------|-----------------------------|------------------------------|
| 1. F. W. Watson | 13. Richard N. Lowe | 25. John Blackwell |
| 2. John Clifton | 14. John Mills | 26. Charles Hawkins |
| 3. Thomas H. Joyce | 15. Calvin Priddy | 27. George Wells |
| 4. Lewis B. Phillips | 16. Hubbard Williams | 28. James Thomas Sr. |
| 5. Thomas Roberts Sr. | 17. A. G. Rakestraw | 29. John C. Knight |
| 6. David Mitchell | 18. Jesse Wharton | 30. Joseph H. Roberts |
| 7. John Webster | 19. John Cantrell | 31. John Smith |
| 8. John Joyce Capt. | 20. George Sharp Sr. | 32. Baily Martin |
| 9. William Noles, Jr. | 21. Andrew J. Hudson | 33. David Osborn |
| 10. Robert Wray | 22. Thomas Blackwell | 34. V. M. Holderby |
| 11. Ed. R. Windsor | 23. Spencer G. Truit | 35. David Kallam |
| 12. John A. Ratliff | 24. N. L. Blackwell | 36. Josiah F. Taylor |

From among whom the following were drawn as Grand Jurors for this term to wit -

- | | | |
|-------------------------------------|------------------------------|------------------------------|
| 1. John A. Ratliff , foreman | | |
| 2. John Jones | 8. Andrew J. Hudson | 14. Thomas Blackwell |
| 3. William Noles | 9. John Webster | 15. John Blackwell |
| 4. George Wells | 10. Joseph H. Roberts | 16. John Clifton |
| 5. John Miller | 11. Josiah F. Taylor | 17. James Thomas, Sr. |
| 6. Spencer G. Truitt | 12. George Sharp, Sr. | 18. David Kallam |
| 7. John Cantrell | 13. David Mitchell | |

Who after being duly sworn and charged and Officer **James D. Ellington** Sworn to attend them, retired to their room for the dispatch of business.

When the following of the original pannell were called and answered 1 **Thomas Roberts**, 2 **Calvin Priddy**, 3 **John C. Knight**, 4 **Thos. H. Joyce**, 5 **Ed. R. Windsor**, 6 **Lewis B. Phillips**, 7 **N. L. Blackwell**, 8 **John Smith**, 9 **Baily Martin**, 10 **F. W. Watson**.

David Osborn, **V. M. Holderby**, **R. N. Lowe**, and **A.G. Rakestraw** Jurors summoned to this term, Excused.

Probate of Wills

A Paper writing purporting to be the last Will and Testament of **Nancy McCray** deceased is exhibited for probate in open court and the due execution thereof by the said **Nancy McCray** is proved by the oath and examination of **Logan Chamberlain** and **Howard Martin** the subscribing witnesses. It is therefore considered by the court, that the said paper writing and every part thereof is the last Will and Testament of the said **Nancy McCray**, decd. And the same is ordered to be recorded and filed and thereupon on Motion **Wilson D. Moore** is appointed administrator with the said Will annexed, who entered into bond in the penalty of Eight hundred dollars with **Robert Walker Jr.** and **William Walker** as his sureties conditioned according to Law, and took the oath of office.

A paper writing purporting to be the last Will and Testament of **Drury Price** deceased with a codicil thereto annexed is exhibited in open court for probate by **Allen Price**, **Duke Price** and **John P. Price** the executors therein named, and thereupon the due Execution thereof is proved by the oath and examination of **R. G. Hopper** one of the subscribing witnesses thereto to said Will and Codicil, and it is ordered that the said paper be filed with the Clerk of this Court, and that a subpoena issue for **Richard Johnson** the other subscribing witness, returnable to the next Term of this Court in the end that the probate may be completed. On motion **Allen Price**, **Duke Price** and **John P. Price** are allowed to qualify as Executors to said Will, and the same is done accordingly –

Whereupon **Duke Price** and **John P. Price** Executors as aforesaid residents of the State of Virginia came into open Court and Executed their bond in the sum of forty thousand dollars with **John Smith**, **David Price** and **Thomas D. Price** as their Sureties. Conditioned for the faithful administration of the Estate of the said **Drury Price** deceased.

A paper writing purporting to be the last Will and Testament of **William Conner** decd is exhibited in open Court for probate by **Pleasant Hopkins** one of the Executors therein named and the due execution thereof by the said **William Conner** is proved by the oath and examination of **E. M. Powell** one of the subscribing witnesses thereto, who also states on oath that **James M. Walker** the other subscribing witness now resides beyond the limits of the State of North Carolina, and is a citizen of the State of Mississippi, That he saw said **James M. Walker** sign his name in the presence and at the request of the said **William Conner** and the handwriting of the said **James M. Walker** is proved by the oaths and examination of the said **E. M. Powell** and **Robert P. Richardson**; It is thereupon considered by the Court that said paper writing and every part thereof, is the last Will and Testament of said **William Conner**, and the same is ordered to be recorded & filed.

And thereupon the said **Pleasant Hopkins** one of the Executors as aforesaid duly qualified as such by taking the oath required by law.

A paper writing purporting to be the last Will and Testament of **Pearson Moore** decd is exhibited in open Court for probate by **Thomas C. Meadors** and **Wilson D. Moore** two of the Executors therein named, and the due execution thereof by the said **Pearson Moore** is proved by the oath and examination of **Hugh L. Patrick** and **Rawly G. Johnson** the Subscribing witnesses thereto. It is therefore considered by the court that the said paper writing and every part thereof is the last Will and Testament of the said **Pearson Moore**, and the same is ordered to be recorded and filed. And thereupon the said **Thomas C. Meadors** and **Wilson D. Moore** two of the Executors as aforesaid duly qualified as such by taking the oath required by law. And **Isabella Moore** the Executrix therein named came into open Court and renounces the office of Executrix

Probate of Wills cont.

A paper writing purporting to be the last Will and Testament of **William Weadon** decd is exhibited in open Court for probate and the due Execution thereof by the said **William Weadon** is proved by the Oath and Examination of **James B. Douglas** one of the subscribing Witnesses thereto, and it is also proved by the Oath and examination of the said **James B. Douglas** that **Henry Sawyer** the other subscribing Witness, resides beyond the limits of this State, and that the name of the said **Henry Sawyer** subscribed as a witness to said Will is in the hand writing of the said **Henry Sawyer**. It is therefore considered by the Court that the said paper writing, and every part thereof is the last Will and Testament of the said **William Weadon**, and the same is ordered to be recorded and filed —

State Cases:

State	}	
Vs	}	
Thomas Pratt &	}	Indictment for an Affray
William Pratt	}	The Defendants Submits –
	}	It is considered and adjudged by the court that the office have Judgment against the Defendants for costs of suit to be taxed by the Clerk

State	}	No. 20
Vs	}	Indictment for an assault and battery
John N. Hudson	}	Defendant pleads not guilty –

When comes the following Jury to wit – **Thomas Roberts, Calvin Preddy, John C. Knight, Thomas H. Joyce, E. R. Windsor, L. B. Phillips, N. L. Blackwell, John Smith, Baily Martin, Pleasant Hopkins, James M. Haynes & Richard G. Henderson**, who being duly Sworn and empannelled for their Verdict say they find the Defendant guilty in manner and form as charged in the Bill of Indictment –

It is ordered and adjudged by the Court that the Defendant be fined five cents and cost of suit.

John N. Hudson the Defendant in this case and **David M. Woollen** confer Judgment for the sum of twenty five dollars, to be void on payment of the five and cost in this case.

State	}	
Vs	}	
Frank Fuqua	}	Indictment for an assault and battery
	}	The Defendant Submits –

It is ordered and adjudged by the court that the Defendant be fined three dollars & cost of suit –

Frank Fuqua the Defendant in this case and **Joel A. Gentry** confess Judgment for the sum of twenty five dollars to be void on payment of the fines & cost in this case.

State	}	No. 23
Vs	}	Indictment for an assault & battery –
Henry J. Truit	}	The Defendant pleads not Guilty –

When comes the following Jury to wit – **Thomas Roberts, Calvin Preddy, John C. Knight, Thomas H. Joyce, E. R. Windsor, L. B. Phillips, N. L. Blackwell, John Smith, Baily Martin, Pleasant Hopkins, James M. Haynes & R. G. Johnson**. Who being duly sworn and empannelled for their Verdict say that they find the Defendant guilty in manner and form as charged in the Bill of Indictment – whereupon it is ordered and adjudged by the Court that the Defendant be fined two dollars & cost of suit –

State }
 Vs }
David Molloy }
 Indictment for and assault and Battery
 The Defendant pleads not Guilty
 When comes the same Jury as in No. 23 – who being duly
 Sworn and empannelled for their Verdicts say they find the
 Defendant Guilty in manner and form as charged in the Bill of
 Indictment – Whereupon it is adjudged by the court that the
 Defendant be fined three dollars, & cost of suit –
David Molloy the Defendant in this case & **John**
McCollum confess Judgment for the sum of twenty five
 dollars to be Void on payment of the fine and cost in this
 case –

State }
 Vs }
Alexr. Dodson }
 Indictment for an affray
 The Defendant submits – whereupon it is ordered and
 adjudged by the Court that he be fined five cents & costs of
 suit –

State }
 Vs }
G. S. Southern }
 Defendant called and failed to appear –
 Service of Sci Fa acknowledged by **Wm. Z. Richardson**
 the Security.
 Judgment according to Sci Fa.
 Judgment remitted to one penny and cost of suit –

State }
 Vs }
David Molloy }
 Peace Warrant. **Alexr. Wall** Prosecutor –
 It is adjudged and decreed by the court that the Defendant
 be bound in the sum of \$200, to keep the Peace & that the Office
 have Judgment against him for costs to be taxed by the Clerk –
 Whereupon **David Molloy** the Defendant in this case and
Samuel A. Garrett come into open court and acknowledged
 themselves indebted to the State of North Carolina in the sum of
 two hundred dollars, to be levied of their goods and Chattel, lands
 and tenements, to be Void on condition that the said **David Molloy**
 doth Keep the Peace towards all the good citizens of this State, and
 more especially towards **Alexander Wall** for the span of twelve
 months from this date.

State }
 Vs }
Charles Gates }
 The Defendant **Charles Gates** & **P.H. Price** came into
 open Court and acknowledged themselves indebted to the
 State of North Carolina in the sum of one hundred dollars each, to
 be levied of their goods and Chattels lands and tenements, to be
 Void on condition that **Charles Gates** makes his personal
 appearance at the next Term of this Court, to answer a charge the
 State against him, and does not depart therefrom without leave.

State cases cont.

State	}	
Vs	}	The Defendant Basley Wilson and Samuel A. Garrett
Basley Wilson	}	come into open Court and acknowledged themselves indebted to the State of North Carolina in the sum of one hundred dollars each, to be levied of their goods and Chattels, lands and tenements, to be void on condition that the said Basley Wilson makes his personal appearance at the next Term of this Court, to answer a charge the State against him, and does not depart therefrom without leave.
State	}	
Vs	}	Indictment for an affray –
William Pratt	}	The Defendant submits whereupon it is ordered and adjudged by the Court that he be fined Three dollars and costs of suit –
State	}	
Vs	}	The Defendant David Molloy and William C. Simpson
David Molloy	}	come into open Court and acknowledged themselves indebted to the State of North Carolina in the sum of one hundred dollars each, to be levied of their goods and Chattels, lands and tenements, to be void on condition that the Said David Molloy makes his personal appearance at the next Term of this Court, to answer a charge the State against him, and does not depart therefrom without leave.
State	}	
Vs	}	Indictment for an Affray
Thomas Joyce &	}	The defendants Submits – whereupon it is ordered and
Thomas Martin	}	adjudged by the Court that they be fined fifty cents each, and costs of suit –
State	}	
Vs	}	States Warrants
James Whitworth &	}	The Defendants James Whitworth and George Snider Jr.
George Snider, Jr.	}	come in to open Court and acknowledged themselves indebted to the State of North Carolina in the Sum of one hundred dollars each, to be levied of their goods and Chattels, lands and tenements, to be void on condition that they and each of them make their personal appearances at the next term of this Court, to answer a Charge the State against them, and do not depart therefrom without leave.
State	}	
Vs	}	Indictment A.&.B.
Isaac Thacker	}	The Defendant Submits – Whereupon it is ordered and adjudged by the Court that he be fined one dollar and Cost of suit –
State	}	
Vs	}	Indictment A.&.B.
James Jones	}	The Defendant Submits – Whereupon it is ordered & adjudged by the Court that he be fined one dollar and cost of suit –

State cases cont

State }
 Vs } Peace Warrant – **Ezekiel Wheeler** Prosecutor –
Saml S. B. Smith } It is ordered and adjudged by the Court that the Defendant
 be bound in the sum of two hundred dollars with security to Keep
 the Peace and that the Office have Judgment against him for the
 costs –

Whereupon the Defendant **Samuel S. B. Smith** and **Edwin S. Morris** came into open Court and acknowledged themselves indebted to the State of North Carolina in the sum of two hundred dollars, to be void on condition that the said **Samuel S. B. Smith** doth Keep the Peace to all the good citizens of this State, and more especially towards **Ezekiel Wheeler** for the space of twelve months from this date –

Double tax remitted: It is ordered by the Court that **John W. Foy** be excused from the payment of a double Tax for the year 1856 –

It is ordered by the Court that **Samuel Stewart** be excused from the payment of a double Tax for the year 1856 -

Seven Justices on the Bench

License to Retail
Open Liquors On motion It is ordered by the Court that **I. B. Whittemore** have a License to retail Spiritous Liquors by the small measure at his retail shop in the Town of Wentworth twelve months from the date hereof –

It is ordered by the court that **William Carter, Jeremiah Powers** and **John White** as appointed Patrol in Rocky Springs District for the ensuing twelve months –

Patrols
Appointed

It is ordered by the court that **Richard A. Ellington, Henry C. Comer** and **Jackson Powell** be appointed Patrol in Pleasantville District for the ensuing twelve months –

It is ordered by the Court that **Richard N. Lowe, George W. Stewart, Wm. P. Saunders Leroy C. King & Samuel King** be appointed Patrol in Washington District for the ensuing twelve months

Leave to Withdraw
Papers It is ordered by the Court that **Ro. P. Richardson** have leave to withdraw the papers in the cases of **Nathan Wright & Wright & Richardson** against **Barnett Setliff** –

It is ordered by the Court that **Baily Motley** have leave to withdraw the papers from the Clerks office, both case **Baily & Motley** against **David W. Stubblefield** Surviving partner of **Stubblefield & Withers** –

**Committees
Appointed**

It is ordered by the Court that **Miles D. King, William Irvin & John Irvin** be appointed a committee to settle with **George D. Boyd** Administrator of **Richard Wiles** decd and that he be allowed five per cent on both sides of the account, and that they report to the next term of this Court –

It is ordered by the Court that **Robert A. Montgomery and Iverson Stacy** be appointed a committee to settle with **Hugh K. Reid** Administrator of **James Allen** decd and that he be allowed five per cent on both sides of the account, and that the report to this next term of this Court –

It is ordered by the Court that **Wm. D. Bethell, Alvis Daniel & Hutchins Ferrell** be appointed a committee to settle with **Dr. George DeJarnette** administrator of **Elizabeth Hudson & Judith Atkins** decd and that he be allowed five per cent on both sides of the account, and that they report to the next term of this Court –

It is ordered by the Court that **James Q. Montgomery & Nichl Felts** be appointed a committee to settle with **Dr. Thomas W. Keen** administrator of **James Cobb** decd and that he be allowed five per cent on both sides of the account, and that they report to the next term of this Court –

It is ordered by the Court that **Tilman J. Stubblefield & Joseph S. Waters** be appointed a committee to settle with **Daniel E. Guerrant** Executor of **Celia Murphy** decd and that he be allowed five per cent on both sides of the account, and that they report to the next term of this Court –

It is ordered by the Court that **Tilman J. Stubblefield & Joseph S. Waters** be appointed a committee to settle with **Daniel E. Guerrant & R. B. Watt** Executors of **Sarah Stubblefield** decd and that **Daniel E. Guerrant** be allowed five per cent on both sides of the account, and that they report to the next term of this Court –

It is ordered by the Court that **Alexr. M. Roach, A. G. Walker & Sullivan Pearson** be appointed a committee to settle with **Alfred Walker** administrator of **William Hopkins** decd and that he be allowed five per cent on the receipts and 2 ½ per ct on the disbursements, and that they report to the next term of this Court –

It is ordered by the Court that **Drury Smith and John Kallam (Son of Spencer)** be appointed a committee to settle with **Thomas Dalton** Guardian of the infant children of **Epaphroditus Rhodes**, that said Guardian be allowed five per cent on the receipts & 2 ½ pr. ct on the disbursements, and report to the next term of this Court –

It is ordered by the Court that **Joseph H. Cardwell, Nicholas Dalton & Wm. R. D. Lindsay** be appointed a committee to settle with **Nathaniel & Valentine Allen** Executors of **Samuel Allen** decd and that four per cent commission be allowed on their receipts, and 2 ½ per cent on their disbursements, and that they report to the next term of this Court

It is ordered by the Court that **Wm. P. Watt and Joseph W. Neal** be appointed a committee to settle the Guardian account of **Joseph Allen** decd with **Wm. F. & E. R. Windsor** administrators and report to Court – It is further ordered that the Estate of **Joseph Allen** be allowed five per cent on his receipts and 2 ½ per ct on his disbursements on the share of the one that is of age, and 2 ½ per cent on both sides of the account of those who are not of age –

Committees It is ordered by the Court that **James Q Montgomery** and **E. W. Hancock** be appointed a committee to settle with **James G. Sims** Guardian of **Robert Sims**, and that they report to the next term of this Court –

It is ordered by the Court that **Pinckney R. Wharton, David L. Wright & Thos. Thompson** be appointed a committee to settle with **Ezekiel Wheeler & Margaret S. Jones** Executor & Executrix of **John V. Jones** decd and that they allow five per cent on the receipts and 2 ½ pr ct. on the disbursements, and report to the next term of this Court –

It is ordered by the Court that **John W. Ellington & James Wright** be appointed a committee to settle with **E. W. Hancock** Administrator of **Sally Astin** decd and that they allow five per cent commission on both sides of the account, and report to the next term of this Court –

It is ordered by the Court that **Amos G. Walker & E.S. Morris & Saml S. B. Smith** be appointed a committee to settle with **David Mitchell** administrator with the Will annexed of **Grace Cornwall** decd that they allow him five per cent on both sides of the account, and report to the next term of this Court –

It is ordered by the Court that **John Strong & John M. Reynolds** be appointed a committee to settle with **Jones W. Burton** Guardian for **Thomas Tinsbloom**, and that they allow him five per cent on both sides of the account, and report to the next term of this Court –

It is ordered by the Court that **Miles D.King & William S. Yors** be appointed a committee to settle with **Abel L. Williams** Guardian for **Celia Truitt** formerly **Celia Simpson** and **Robert Simpson**, that they allow him five per cent on receipts & 2 ½ per ct on the disbursement, & report to the next term of this Court –

It is ordered by the Court that **James Walker, Jesse Waynick** and **Coleman Brann Sr.** be appointed commissioners to lay off one acre of land including the Spring, for a site for a schoolhouse in District No. 36 – and condemn the same for the use aforesaid, and assess the Value thereof to be paid by the School Committee to the owner of the land –

Justices Quaified

On Motion, **Henry Barnes, Alexander Wall, James T. Simpson, James M Grogan, Thomas B. Wheeler, Emsley M. Woodburn, & Robert T. Williams** came into Court and duly qualified as Justices of the Peace by taking the Oath required by law –

**Constables
Qualified**

F.L. Simpson, George L. Aikin & A.M. Roach Justices on the Bench

It appearing to the Satisfaction of the Court that **L.N. Lyon** had been duly elected Constable in **Capt. Julius Fergusons** District – On Motion the said **L.N. Lyon** entered into Bond according to Law, with **John G. Watkins, James P. DeJarnette, John G. Rainy, Wm. D. Bethell** and **C. Glenn** as his sureties, and qualifies by taking the oath required by law –

It appearing to the satisfaction of the Court that **J. Vaughn** had been duly Elected Constable in **Capt. Stones** District – On Motion the said **J. Vaughn** entered into bond according to law, with **Joel A. Gentry, Richard Gentry, J. F. Vaughn & Ulyses Hand** as his sureties and qualified by taking the Oath required by law –

It appearing to the satisfaction of the Court that **James T. McKilliss** had been duly Elected Constable in New Bethell District – On Motion the said **James T. McKilliss** entered into bond according to law, with **Ebenezer Perry, James T. Simpson, Alexander Wall, Henry C. Fuller, William A. Sharp & David M. Molloy** as his sureties and qualified by taking the Oath required by law –

T. B. Wheeler, John W. S. Lowe & Jas. A. Vernon Justice on the Bench

It appearing to the satisfaction of the Court that **James A. Jones** had been Elected Constable in **Capt. P. S. Ayers'** District – On Motion the said **James A. Jones** Entered into bond according to Law, with **James D. Ellington & E. W. Hancock** as his sureties and qualified by taking the Oath required by law –

**Apprentice
Bond**

It is Ordered by the Court that **Peyton** a free boy of Color aged six years the 15th day of December be bound to **Thomas Roberts** until he shall arrive to full age – and the said **Thomas Roberts** agrees to pay the said boy Peyton when he arrives to full age Who entered into bond according to law with **Allan Price** as his security –

It is ordered by the Court that **Sam Cummings** a free boy of Color be bound to **Sallie Jones** until he arrive to full age who is now four years old – the Said **Sallie Jones** agrees to give the said **Sam Cummings** when he arrives to full age Who entered into bond according to law with **Samuel Stewart** as her surety –

**Overseer of
Roads**

No. 28 – It is ordered by the Court that **John G. Rainy** be appointed overseers of the road from **Mrs. Moreheads** old place to the forks West of Carmell Meeting House with the following hand to wit: **Dr. E. T. Broadnax'** hand, at his lower plantation, the **Widow Walls** hands, **James Rainys'** hands, **P. J. Coram, John Chilton, Jeremiah Gibbs, Stephen Atkins, G. H. Holderbys** hands **Asa Kannon, Dabney Rainy, Abraham Wall, Jackson Kennon, Nicholas Atkins, George Wright & Henry Wright** –

No. 123. **James Hall** is appointed overseer of the road from the forks at the end of **P. Blacks** land to **the F. Websters** Gate, with the following hands to wit. **B. F. Websters** hands, **Jones W. Burtons** hands, **Wm. M. Mebanes** hands, **John H. Gibson, Reuben Joyce** and **Berry** a free boy –

Majority of Justices Present	Justices Present Thomas Settle, George L. Aikin, Francis L. Simpson, Alexr. M. Roach Alexander Wall, James A. Vernon, Drury Smith, Robert Walkers Jr. Tyre Carter, Winston Kallam, William D. Bethell, Orson Martin, John W. S. Lowe, William Scott, Albert Lomax, Thomas Roach, Allen Price, Daniel J. Jordan, Nathaniel H. Dodd, Jones W. Burton, John G. Robertson, George W. Garrett, Robert Walker Sr., William Carter, Richard B. Henderson William Dalton, John Craddock, George D. Boyd & Emsly M. Woodburn.
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Taxes Paid	The Court proceeded to lay the County Taxes to wit
For County purposes	.39cts on every \$300 value of land & .34 cts on each Poll
For Support of the Poor	.30 " " " " " " " " " " " " " " " "
For Common Schools	.18 " " " " " " " " " " " " " " " "
For Public Buildings	.43 " " " " " " " " " " " " " " " "
	\$1.30 " " " " " " " " " " " " " " " "
Add State Tax	.45 " " " " " " " " " " " " " " " "
Making in All	\$1.75 " " " " " " " " " " " " " " " "

County Trustees Elected	The Court then proceeded to elect a county Trustee – When Ezekiel W. Hancock was unanimously Elected, who entered into bond according to Law with (<i>left blank on original</i>)
--------------------------------	--

Committee of Finance Elected	The Court then proceed to the Election of the Committee of Finance when George L. Aikin, Albert Lomax, and Jones W. Burton was unanimously by Election who come into open Court and qualified by taking the Oath required by law -
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Allowances

It is ordered by the Court that **James Roberts**, Sheriff, be allowed the sum of one hundred dollars for his Ex officio services for the year ending at this term, and that the County Trustee pay the Same –

It is ordered by the Court that **Alfred M. Scales** States Attorney, be allowed the Sum of fifty dollars for this Ex officio Services for the year ending at this Term and that the County Trustee pay the Same –

It is ordered by the Court that the Committee of Finance be allowed two dollars pr day for their services as such for the year ending at this term and that the County Trustee pay the Same to wit.

George L. Aikin	days at \$2.00 pr day
Jones W. Burton	5 " " \$2.00 " " \$10.00
Albert Lomax	3 " " \$2.00 " " \$6.00

**Allowances
cont.**

It is Ordered by the Court that the Wardens of the Poor be allowed one dollar & fifty cents per day for each days service up to this term and that the Treasurer of the Warden Court pay the Same to wit –

John W. Ellington	4 days at \$1.50 pr day	\$6.00	
Thomas Roach Sr.	4 “ “ \$1.50 “ “	\$6.00	
Franklin Harris	4 “ “ \$1.50 “ “	\$6.00	
Allen Price	3 “ “ \$1.50 “ “	\$4.50	
Wm S. Yors	3 “ “ \$1.50 “ “	\$4.50	
Jas. Q. Montgomery	5 “ “ \$1.50 “ “	\$7.50	for 2 years
Pendleton Ratliff	3 “ “ \$1.50 “ “	\$4.50	
T. D. Price	3 “ “ \$1.50 “ “	\$4.50	

It is ordered by the Court that **Laban P. Wright** Public Register be allowed the Sum of two dollars and eighty cents for Registering Official Bonds for the year ending at this term, and that the County Trustee pay the Same.

It is ordered by the Court that **Henry Barnes** be allowed as Special Coroner five dollars for attending the inquest over **Archer McDonald**, and twenty cents each for summoning a Jury, Making in all seven dollars and forty cents – and that the County Trustee pay the same –

It is ordered by the Court that the commissioners heretofore appointed to build a New Jail, be authorized to make sale of the old Jail, so as to give possession when the New Jail is Completed, Sale to be on a credit at the discretion of the commissioners –

F.L. Simpson, Geo. L. Aikin & A. M. Roach Justices present on the Bench

**Administrators
Appointed**

On Motion **Robert Walker Jr.** is appointed administrator on the Estate of **Alfred M. Whitsett** decd who entered into bond in the sum of sixty thousand dollars with **Allen Price, Wilson D. Moore, Alfred Reid, Pleasant Hopkins, & Wm. D. Bethell** – as his sureties, and qualified by taking the Oath required by law –

On Motion Administration on the Estate of **Elijah Wilson** decd is granted to **Robt. W. Scales** who entered into bond in the sum of fifteen hundred dollars, with **Robert H. Scales & Nathaniel Scales** as his Ssureties, and qualified by taking the Oath required by law –

On Motion **Amos G. Walker** is appointed administrator on the Estate of **Ruth Jones** decd who Entered into bond in the sum of fifteen hundred dollars with **T. B. Wheeler & E. W. Hancock** as his Sureties, and qualified by taking the Oath required by law –

On Motion **Chalmers L. Glenn** is appointed Administrator on the Estate of **Charles Roper** deceased, who entered into bond in the sum of forty thousand dollars with **E. T. Brodnax** and **Jones W. Burton** as his sureties, and qualified by taking the Oath required by law -

Civil Cases

Nicholas Brown } No. 7
Vs } Payment & Set off
Saml Martin & } When came the following Jury to wit - **Thomas Roberts,**
Nichl Martin Exors } **Calvin Preddy, John C. Knight, Thomas H. Joyce, Ed. R.**
Windsor, David Prewitt, N. L. Blackwell, John Smith, Baily
Martin, F. W. Watson, Robt. H. Warriner, R. A. Holderby,
 Who being duly sworn & empannelled for their Verdict say they
 find all the issues in favor of the Plaintiff, that the balance of
 principal, after allowing the endorsed payments is \$206.67 and
 assess the Plaintiff damages for balance of Interest to \$45.52 - &
 costs of suit.
 Judgment of the Court accordingly.

Thomas Joyce }
Vs } Genl Issue payment & set off
B. R. Webster } When comes the Same Jury as in No. 7
 Who after being duly sworn and empannelled for their Verdict Say
 they find all the issues in favor of the Plaintiff. That they find the
 principal of the Bond declared on to be \$115.15 and assess his
 damages by way of Interest to \$6.79 & cost of suit.
 Judgment of the Court accordingly –

John Clifton }
Vs } Genl issue State Lein
J. W. Burton Adm. } When comes the same Jury as in No. 7
 Who being duly sworn and empannelled for their Verdict Say they
 find all the issues in favor of the Plaintiff and assess his damages
 to \$69.75 and cost of suit.
 Judgment of the Court accordingly –

Davd. E. Guerrant }
Vs } Genl Issue, payment & set off
John Lynn & } When comes the following Jury To wit **Thomas Roberts,**
Robertson Sanders } **Calvin Preddy, John C. Knight, Thomas H. Joyce, Ed.**
R. Windsor, Lewis B. Phillips, N. L. Blackwell, John Smith,
Baily Martin, F. W. Watson, D. L. Wright & Wm. C.
Patterson, Who being duly sworn and enpannelled for their
 Verdict Say they find all the issues in favor of the Plaintiff, and
 assess his damages to \$35.00 & costs of suit –
 Judgment of the Court accordingly –
 From which Judgment the Defendant prays and obtains an
 appeal to the Superior Court
 Appeal bond Waived.

Civil Cases Cont.:

- Milton Lewis** }
Vs } Compromised
Henry Nance } It is adjudged by the Court that the Plaintiff have Judgment
 against the Defendant for cost of suit to be taxed by the Clerk.
- Wm. G. Webb** }
Vs } It is ordered by the Court that the Sheriff of this County
Jetson J. Astin } proceed to dispose of the property rendered in the Schedule
 heretofore filed by the Defendant, and that he also proceed to
 collect the debts, and chose, in action therein set forth, and report
 what amounts of proceeds shall come to his hands –
- L. J. Palmer** } Discontinued as to all the parties except **James Raines**
Vs } Payment and Set off –
James Raines & } When comes the following Jury to wit – **Thomas Roberts,**
Others } **Calvin Preddy, Thomas Roach Jr, John Smith, Baily Martin,**
Walter B. Johnson, J. M. Kernodle, Wm. C. Patterson, E. S.
No. 24 **Morris, James H. Hall, Ezekiel Wheeler & James D. Ellington**
 who being duly sworn and empanelled for their Verdict say they
 find the principal of the bond declared on after deducting the
 endorsed payment to be \$419.25 and assess the Plaintiff damages
 by way of Interest to \$22.70 & cost of suit –
 Judgment of the Court accordingly –
- Thomas D. Price** }
Vs } Plaintiff declares on a lost bond
David Joyce } Pleas payment & set off
 When comes this Same Jury is in No. 24, who being sworn
 and empanelled for their Verdict Say they find the balance of the
 principal of the bond declared on after deducting a payment of
 \$8.59 is \$206.00 and assess the plaintiff damages for interest to
 \$9.27 & cost of suit.
 Judgment of the Court accordingly. This Judgment is for
 the benefit of **James T. Morehead** –
- James Mitchell &** }
Jesse Mitchell Exrs }
Vs } Pleas Withdrawn
Joseph Martin & } Judgment according to Specially filed for the sum of
Andrew Martin } \$243.36 of which sum \$200. is principal money & cost of suit –
- Wm. N. Mebane &** }
Others }
Vs } Petition to discontinue a public road –
James L. Cardwell } Petition dismissed
 It is adjudged by the Court that the Office have Judgment
 against the Plaintiff for cost of suit, to be taxed by the Clerk –

Civil Cases Cont.

Chas. L. Joyner }
 & others }
 Vs } Issue of Devisavit Vet Now
 Geo. W. Brown & } When comes the following Jury To wit – **Thomas Roberts, Calvin**
 Wife Margaret & oth. } **Preddey, David Purcell, Ed. R. Windsor, Thomas Roach Jr., John**
Smith, Baily Martin, W. B. Johnson, S. M. Kernodle, Wm. C.
Patterson, E. S. Morris & James H. Hall, Who being duly sworn &
 empanelled for their Verdict say they find the paper writing purpounded for probate which is in the following words and figures to wit –

I, **Mildred Hennis** of the County of Rockingham and State of North Carolina being of sound mind and memory but considering the uncertainty of my earthly existence, do make and declare this my last Will and Testament in manner and form following, that is to say –

First That my Executor hereinafter named, shall provide for my body a decent burial, and pay all funeral Expenses, Together with all my just debts, out of any money that may come into his hands as a part or parcel of my Estate, either from the sale of the perishable property which my Executor is hereby authorized and directed to sell in otherwise –

Item – I give and bequeath to **Jane, Mary, Sally, Catherine Rachel & Lewis** Children of my son **Nelson Joiner** decd one hundred and fifty dollars, to be equally divided amongst them, to be paid by my Executor out of any monies belonging to my Estate, after the payment of my funeral expenses and Just debts; and if the money on hand at my death and such as may be due to me, added to the sale of my perishable property herein authorized, shall not suffice to pay this legacy then it is my wish that my Executor sell some of my Negroes to raise the same –

Item – I give and bequeath to my son **Charles** my Negro Girl **Elizabeth**, over and above his share of the property hereinafter mentioned as an extra allowance to him for his living with and taking care of me in my old age –

Item – It is my desire that my son **James** who has heretofore purchased my tract of land in the State of Virginia, and have not accounted for, nor paid the Contract price, should keep the said land, and in addition thereto to have one hundred dollars in money, to be raised by my Executor out of any property belonging to my Estate

Item – I wish all my Negroes, except **Elizabeth** who is particularly bequeathed to my son **Charles**, and all money, after taking out the before named Legacys, to be equally divided into three parts, of which I give one third part to my son **Charles**, one third part to my son **Peter**, and the last third part to the children of my son **Lewis Joiner**, to be the absolute property of the said Legatees –

And lastly, I do hereby constitute and appoint my son **Charles**, my lawful Executor to all intents and purposes, to Execute this my last Will and Testament, hereby revoking and declaring utterly Void all other Wills and Testaments by me heretofore made –

Civil Cases
Cont.

In witness whereof I the said **Mildred Henniss** do hereunto set my hand and seal this the 13th day of June in the year of or Lord one thousand eight hundred and fifty one –

Signed sealed published and declared by **Mildred**
Henniss to be her last Will and Testament, } her
in the presence of us who at her request and } **Mildred X Henniss**
in her presence do subscribe our names as } mark (seal)
witnesses thereto – }

Test }

S. A. Garrett }

Pinkney Knight }

And every part thereof to be the last Will and Testament of **Mildred Henniss**, whereupon the Court doth order that the same be recorded and filed, and that the Plaintiff versus of the Defendant their costs of suit to be taxed by the Clerk –

From which Judgment the Defendant pray an appeal to the Superior Court of law of Rockingham County, which is allowed by their entering into bond in the sum of \$500. with **James T. Simpson** and **Joseph J. Poindexter** as their sureties –

Polly Cantrell }

Vs } Trespass

Wm. McCholister } Pleas – Not Guilty with leave –

When comes the following Jury to wit – **Thomas Roberts, Calvin Priddy, John C. Knight, E. R. Windsor, John Smith, Baily Martin,**

F. W. Watson, David Mitchell, John Foy, James L. Cardwell, James Q. Montgomery & Thomas Carter, who being Sworn and enpannelled for their Verdict say they find all issue in favor of the Defendant –

On Motion Judgment is granted against the Plaintiff and demands for the cost in this case, to be taxed by the Clerk –

C. L. Glenn Adm }

Of **Charles Roper** decd } Death of the Plaintiff Suggested & **C. L. Glenn**

Adm, made

Vs } Plaintiff

Q. T. Purcell } Pleas withdrawn

Green L. Brannock & } Judgment according to Specialty filed for the sum
of \$774.57 of

Henry Brannock } which sum \$753.48 is Principal money –

Samuel Adcock }

Vs } Pleas withdrawn –

Q. T. Purcell & } Judgment by default find according to Specialty filed for
the sum

David Dugger } of \$102.83 of which sum \$100.00 is principal money.

Civil Cases

Cont.

Hiram A. Wright	}	
Vs	}	Judgment by default fined according to Specialty filed for the
Aaron Poole &	}	Sum of \$117.94 balance of Principal, and \$4.12 for Interest –
John Stacy	}	

Elizabeth Humphreys	}	
Vs	}	Petition for Dower
Sarah Humphreys	}	It is ordered by this Court that Execution issue against the
& Others	}	Administrator of Said Humphreys for cost in this case.

Reports on Petition:

Elizabeth Hay & others	}	Petition to Divide Slaves
Ex Parte	}	Reports filed and Confirmed and ordered to be enrolled &
	}	Registered - and Judgment against the administrator R. D. Hay for costs
	}	State of North Carolina }
	}	Rockingham County }
	}	December 1856

In Obedience to an order issued from the Court of Pleas and Quarter Session for the County and State aforesaid, to us directed, to Value and divide the Negro Slaves belonging to the Estate of **Phillip T. Hay** decd between his Widow **Elizabeth Hay** and the following Children Viz – **Peter W. Hay, William P. Hay, Mary A. Wall, Randal D. Hay, Sarah E. Hay, Phillip T. Hay, Pleasant A. Hay, Margaret L. Hay, Nathaniel M. Hay, and Lydia M. Hay** –

We the undersigned Commissioners have proceed to Value and divide as follows – Viz –

Lot No. 1 drawn by Elizabeth Hay – Viz			
Henry	age 27	Val. At	\$1000.
Elizabeth	" 14	" "	900.
Betey	" 35	" "	100.
Susan	" 9	" "	600.
Eliza	" 9	" "	700.
			<u>\$3300.</u>

George	age 80}	
Caroline	" 51}	Minus
Sylva	" 60}	600.
		<u>\$2700.</u>

Lot No. 2, drawn by Pleasant A. Hay Viz -			
Jerry	age 22	Valued at	\$1000.
Maria	" 12	" "	700.
Kate	" 44	" "	250.
Ann	" 10	" "	650.
			<u>\$2600.</u>

Lot No. 3 drawn by Nathaniel M. Hay Viz –			
Arch	age 25	Valued at	\$900.
Emeline	" 15	" "	900.
America	" 43	" "	}
Susan	" 6	" "	}
Joseph	" 3	" "	800.
			<u>\$2600.</u>

Lot No. 4 drawn by Sarah E. Hay Viz –			
John	age 19	Valued at	\$1150
Eve	" 17	" "	850.
Andrew	" 9	" "	600.
			<u>\$2600.</u>

Lot No. 5 drawn by Margaret L. Hay Viz –			
Jim	age 15	Valued at	\$1000.
Lucy	" 25	}	
Milly	" 6	}	1250.
Patcy	" 3	}	
Dick	" 1	}	
Patrick	" 8	" "	550.
			<u>\$2800.</u>
Chana	- minus		100.
			<u>\$2700</u>

Lot No. 6 drawn by Phillip T. Hay Viz				Lot No. 11 drawn by Randall D. Hay Viz -			
Peter	age 34	Valued at	\$800.	Bob	Age 47	Valued at	\$500.
Victoria	" 7	" "	500.	Nancy	" 12	" "	850.
Martha	" 33	}		Toby	" 7	" "	600.
Anna	" 6	}		John	" 6	" "	500.
Mabel	" 5	}	Valued at \$1400.	Rhoda	" 61	" "	000.
Caroline	" 3	}	\$2700.				\$2450.

Lot No. 7 drawn by William P. Hay Viz -				We find that Lot No.1 pays Lot No.2			
Peter Jr.	age 15	Valued at	\$1050		and pays No. 3		22.72
Sophia	" 14	" "	900.		and pays No. 4		22.72
Clara	" 38	}			and pays No. 7		<u>9.12</u>
Solomon	" 1 1/2	}	<u>650.</u>				77.28
			\$2600.				

Lot No. 8 drawn by Peter W. Hay Viz -				Lot No. 2 receiving from No. 1			
Gabriel	age 14	Valued at	\$950.	" "	3 receives from No. 1		22.72
Esther	" 24	}		" "	4 receives from No. 1		22.72
Tom	" 5	}		Lot No. 5 pays to No. 7			
Hannah	" 3	}	Valued at 1600.		and pays to No. 8		\$13.60
Lafayette	" 8 mo	}	\$2550.				<u>63.68</u>
							\$77.28

Lot No. 9 drawn by Mary A. Wall Viz -				Lot No. 6 pays to No. 8			
Aaron	aged 24	valued at	\$900.		and pays to No. 10		\$9.04
Nancy	" 44	}			and pays to No. 11		22.72
King	" 5	}	Valued at 1000.				<u>45.52</u>
Rhoda	" 3	}					\$77.28
Maria	" 22	" "	<u>850.</u>	No. 7 receives from No. 1			
			\$2750.		and receives from No. 5		\$9.12
							<u>13.60</u>
							\$22.72

Lot No. 10 drawn by Lydia M. Hay Viz -				No. 8 receives from No.5			
Sandy	age 18	Valued at	\$1000.		and from No. 6		\$63.68
Rhoda	" 14	" "	800.				<u>9.04</u>
Ruth	" 14	" "	<u>800.</u>				\$72.72
							\$2600.
				No. 9 pays to No. 11			
							\$127.28

No 10 receives from No. 6				\$22.72
No. 11 receives from No. 6				\$45.52
And from No. 9				<u>\$127.28</u>
				\$172.80

All of which is respectfully submitted by us -

Jas. M. Scales	}	Commissioners
John Strong	}	
J. H. Cardwell	}	

Reports on Petitions
Contd.

Saml. Martin &	}	
Nichl. Martin Exor	}	Petition to Sell Slaves
Of A. Martin decd	}	Report filed and Confirmed and ordered to be enrolled and
Ex Parte	}	that the Executor pay the costs of this Petition
		For report see Inventory Book H page 185.
Albert Lomax &	}	Petition to Divide Slaves
Haml. P. Lomax	}	Report filed and Confirmed and ordered to be enrolled and
Ex Parte	}	Registered and that Petitioners pay costs –
		State of North Carolina }
		Rockingham County }
		To the Worshipful the Justices of the Court of Pleas
		and Quarter Session February Term 1857
		We the undersigned freeholders appointed by the
		Court of Pleas and Quarter Session of said County, having
		been duly Sworn proceeded on the 21 st day of February
		1857 to divide and make partitian between Albert Lomax
		and Hamilton P. Lomax , tenants in common of certain
		personal property that is to say Charlotte, Martha &
		Polly , and assign to each his share as follows that is to say
		Lot. No 1 is assigned and appropriated to Albert
		Lomax Viz – Charlotte & Polly , Valued at one thousand
		& fifty dollars
		Lot. No. 2 is assigned and appropriated to Hamilton
		P. Lomax Viz – Martha , Valued at Six hundred and fifty
		dollars –
		We further Charge the more Valuable dividend,
		with such sums of money respectively to be paid to those of
		inferior Value respectively as will make an equitable
		division Viz – the Lot No. 1 appropriated to Albert Lomax
		is to pay to the lot No. 2 appropriated to H. P. Lomax to
		Sum of Two hundred dollars –
		All which is respectfully submitted under our hands
		and seals this 21 st day of February 1857.
		Wm. Scott {seal}
		Jas. T. Simpson {seal}
		Dudley Stone {seal}
Wm. F. Windsor &	}	
E. R. Windsor Adms	}	Petition to Sell Slaves
Ex Parte	}	Report filed and Confirmed and ordered to be enrolled.
		See Inventory Book H. page 165 & 166
		Ordered that the Adms pay costs –
		State of North Carolina, Rockingham County –
		In obedience to the order and decree of this Court

of Pleas and Quarter Sessions made at November Term 1856, appointing the undersigned commissioners, the administrators of **Joseph Allen** decd to sell the Slaves belonging to the Estate upon a Credit of Six months, and take bond and security for the purchase money, and report to the next term of the Said Court –

We beg leave to submit the following as our report.

After due advertisement according to law we proceeded to sell at public auction the Slaves mentioned, upon a credit of Six Months, on the 17th day of December 1856 (Except one Negro directed to be sold, to wit – **George**, who died before the day of sale). When and Where **Owen C. Fowler** became the last and highest bidder for **Ned** at the price of \$1100.00 and **Elizabeth Allen** the widow the highest bidder for **Samuel** at \$1200.00 for **Wyatt** at \$1003.00 for **Granderson** \$1227.00 for **Buck** at the price of \$710.00, for **Molly** & two children **Jackson** & **Franklin** at the price of \$926.00 for Girl **Molly** at the price of \$481.00 of Girl **Eliza** at the price of \$806.00 of **Mary** at the price of \$502.00 of **Victory** at the price of \$400.00 for **Big Anderson** at the price of \$1307.00 for woman **Judy** at the price of \$164.00 and **Rufus Manly** became the highest bidder for **little Anderson** at the price of \$1188.00. **Larkin Thacker** became the highest bidder for **Phebe** & two children **Angeline** & **Fanny** at the price of \$1382.00, **E. S. Morris** became the highest bidder for **Mariah** & child **Julian** at the sum of \$1062.00, and of **Lizzy** at the sum of \$461.00 and **George W. Swepson** became the highest bidder for **Jane** at the price of \$966.00 and **Wm. R. Neal** became the highest bidder for **little Jane** at the price of \$466.00 and for **Harriett** at the price of \$410.00 and **John Blackwell** became the last and highest bidder for **Priscilla** at the sum of \$830.00, Making the whole amount of Sale of Slaves to be \$16591.00 and we further report that the several purchases complied with the terms of the Sale by entering into bond and Good Security.

All of which is respectfully submitted –

Wm. F. Windsor }
Edwin R. Windsor } Adms

Elizabeth Allen

Ex Parte

}
 }
 } Petition for years allowance –

We the undersigned having been appointed by the Court, a committee to go on the premise of **Joseph Allen** decd and allot and lay off to **Elizabeth Allen** out of stock crop and provision on hand a full and sufficient quantity for the comfortable support and maintenance of herself and family for one year have this day met and do make the following allowance Viz – Three Milk Cows and Calves in lieu of Beef twenty eight hundred pounds of Pork, seventy five barrel Corn, twenty five bushels wheat, one half of shucks on hand, all the Cabbage & turnips Choice Bed, stead, & furniture, one Spinning Wheel, one pair Cards, one loom and fixtures, if not enough of each and all the above mentioned articles that the amount be furnished by the administrators to the said **Elizabeth Allen** Seventy five dollars for Tax and any expenses, all of which is respectfully submitted this the 4th day of December 1856

J. W. Neal J.P.
Wm. P. Watt
Robt H. Scales
George Simpson

Reports on Petitions Cont:

James Simpson }
 & others } Petition for Partition of land
 Ex Parte } Report filed & Confirmed and ordered to be enrolled and Registered –

State of North Carolina }
 Rockingham County }

We the undersigned being appointed by the Court of Pleas and Quarter Sessions held for the County and State aforesaid at November Term 1856 Commissioners to divide and Make partitions of the lands of Sarah Simpson decd between the several Claimants thereto, which we have proceeded to, after being duly Sworn according to Law, as follows to wit –

Lot No. 1. To **William T. Stone & Wife** Valued at \$110.25 –

Beginning at a white oak near a branch, at the letter A. thence South $1\frac{1}{4}$ degrees west along the original line 47 $\frac{1}{2}$ poles to pointers in **Josiah F. Taylors** line, thence North $89\frac{1}{4}$ degrees East along said line crossing the Middle fork of Jacobs Creek 107 poles to a Dogwood Bush, thence North crossing the Spring branch 46 poles to a Stone, the Corner of No. 2 – 3. & 4. Thence West along the line of No. 2 Crossing said Creek & one branch 107 poles to the first Station - & Contains 31 $\frac{3}{4}$ acres of land –

Lot No. 2 to **Lewis Truit & Wife** Valued at \$126.56

Beginning at a Poplar Standing in the Plant Patch branch, thence down the Various Meanders of said branch to a cluster of Ashes on the bank of the Creek at the junction of said branch, thence North 81 degrees East along the Original line 57 poles to pointers the corner of No. 3, thence South Crossing a branch along the line of No. 3 – 55 poles to a Stone the corner of No. 1 – 3 & 4 thence West along the line of No. 1 Crossing said Creek and one branch. 107 poles to a White Oak the Corner of No. 1. thence North $1\frac{1}{4}$ degrees East along the original line 47 poles to the first station & contains 33 $\frac{3}{4}$ acres of land –

Lot No. 3. To **Robert Simpson** Valued at \$148.50 –

Beginning at pointers the Corner of No. 2 at the letter C. thence North 81 degrees East along the Original line 42 poles to a Cluster of black Haw bushes in an old field, thence South 5 degrees East along said line 23 poles to pointers, thence North $89\frac{1}{4}$ degrees East along Said line. 73 $\frac{1}{2}$ poles to a White Oak Saplin, thence South $1\frac{1}{4}$ degrees West along said line 37 poles to pointers the Corner of No. 4 – thence West along that line 120 $\frac{1}{2}$ to a Stone the Corner of No. 1 – 2 & 4 thence North along the line of No. 2 Crossing one branch 55 poles to the first Station, and Contains 33 acres of land –

Lot No. 4 To **William C. Simpson** Valued at \$111.00

Beginning at a Hickory at the letter D. in **Josiah F. Taylors** line thence North 89 degrees West 93 $\frac{1}{4}$ poles to a dead post Oak and said Taylors Corner thence South along his line 11 $\frac{1}{2}$ poles to a

to a fallen down Black Oak, thence South $89 \frac{1}{4}$ degrees West along said line 20 $\frac{1}{2}$ poles to a Dogwood bush the Corner of No. 1, thence North along that line crossing the Spring branch 46 poles to a Stone the Corner of No. 1 – 2 & 3. Thence East along the line of No. 3 – 120 $\frac{1}{2}$ poles, to pointers the Corner of No. 3. thence South $1 \frac{1}{4}$ degrees West 35 poles to the first Station, and contains 27 $\frac{1}{2}$ acres of land

M.D. King, Surveyor

We further appropriate and say that the Lot No. 2 Shall pay to the Lot No. 1 \$2.48 $\frac{1}{2}$ and that Lot No. 3 pay No. 1 \$11.34 $\frac{1}{4}$ -
And that the lot No. 3 Shall pay to the lot No. 4 \$13.07 $\frac{3}{4}$

We the undersigned Commissioners appointed as aforesaid, divided and appropriated the said lands according to the annexed plate, as marked & numbered on the same and we have awarded to said proprietor the difference in Value of the Most Valuable lots, to the less Valuable lots –

Given under our hands and Seals this 22nd day of December 1856

Albert Lomax	{ seal }
His	
George X Sharp	{ seal }
Mark	
Robert Anderson	{ seal }
Josiah F. Taylor	{ seal }
James Bason	{ seal }

Granville Winchester	}	
& others	}	Petition to sell Slaves
Ex Parte	}	Report filed & Confirmed and ordered to be enrolled & ordered that the adm pay cost – For report See Inventory Book H page 186

Jones W. Burton adm	}	
Of Wm Roach & others	}	Petition to Sell Slaves
Ex Parte	}	Report filed and Confirmed and ordered to be enrolled & ordered that the administrator pay cost – For report See Inventory Book H page 156 –

Ann Roach	}	
V	}	Petition for Dower
James Roach & others	}	Report filed and Confirmed and ordered to be Enrolled and Registered Ordered that the heirs pay the Cost of this Petition –

State of North Carolina }
Rockingham County }

I **James Roberts** Sheriff of Rockingham County attended by the following Jury of good and lawful men to wit – **James Mitchell, John G. Robertson, James M. Moore, John A. Alcorn, Pendleton Ratliff, John Carter, Charles Hamlin, James Ratliff, Richard G. Henderson, David Shreive, John A. Ratliff, & James Dallas**, who after being duly Sworn according to law, proceeded on the 5th January 1857 in Obedience to the annexed Writ to lay off and allot to **Mrs Ann Roach** her dower and third in the lands of **William Roach** deceased

**Reports on Petitions
Cont.**

as described in Said Writ, according to the following Meets and bounds, and proceeded also to put her in possession of the same –

Beginning at a Sassafras thence North 2 ½ degrees East 19 poles to a Dogwood, thence West 59 poles to a Maple on the bank of a branch. Thence down the branch South 29 degrees, West 14 ½ poles to the branch thence South 20 degrees, West 24 ½ poles to a bunch of Alders on the bank of a ditch thence South 48 degrees West 19 poles to a Black Gum in the Butt line, thence South 1 ½ degrees West the old Butt line Crossing Little Rockhouse Creek 72 poles to pointers in an old road. Thence South 58 degrees, East 50 poles, thence South 51 degrees East 29 poles. Thence South 60 degrees East 24 ½ poles to a Red Oak in the Original line, thence East 72 poles at a White Oak, thence North 19 degrees East Crossing Little Rockhouse Creek again 111 ½ poles to a White Oak Saplin, thence West 74 poles to pointers in the Jarrell line, thence North along that line to the first Stations, and contains 138 acres of Land, Given under our hands and Seals the day and date first above written

James Mitchell	{seal}	Chas. Hamlin	{seal}
John G. Robertson	{seal}	James Ratliff	{seal}
James M. Moore	{seal}	Richd. G. Henderson	{seal}
John Alcorn	{seal}	David Shreeve	{seal}
Pendleton Ratliff	{seal}	John A. Ratliff	{seal}
John Carter	{seal}	James J. Dallas	{seal}

Jas. D. Ellington DS

Sarah Arney }
Ex Parte }

Petition for years Allowance

Report filed and confirmed and ordered to be Enrolled. Adm pay costs -
State of North Carolina, Rockingham County –
To the Worshipful the Justices of the Court of Pleas & Quarter Session for said County at Feb. Term 1857 –

We **Geo. L. Aikin** a Justice of the Peace for Said County, and **John M. Reynolds, Jno. Moir & Wm. R. Strong** freeholders in Obedience to the annexed order proceeded on the 5th day of Jany 1857 to view the Estate of **Daniel Arney** decd and having found no Stock Crop or provision on hand out of which to make a comfortable allowance for his Widow for a year, We have assessed the amount in Money Necessary for such purposes at two hundred & thirty four dollars & twenty five cents, and directed the same to be paid to her by the Administrator of the said **David Arney** decd as follows, that is to say – for 500 lb Pork \$42.50 for 8 barrels corn \$40.00 for 4 ble flour \$28.00 for Poultry & other meats \$7.50 for 50 lbs coffee \$7.50 for 150 lb sugar \$21.00 for 2 Gal. Molasses \$1.50 for 1 Sack Salt \$3.25, for Ginger Spice ble \$1.00 for 1 Box candles \$8.00 for fire wood \$40.00 for Soap \$3.00, for Tea \$1.00 1 cow & calf & food \$30.00

We further laid off and allotted to said Widow one Bed and its necessary furniture as her absolute property, and put her in possession of the Same. All of which is respectfully Submitted

George L. Aikin
John Moir
Jno. M. Reynolds
W. R. Strong

- Guardians Appointed** On Motion **Obadiah McMichael** is appointed Guardian to **Alfred M. Whitsett and Sarah Whitsett** who entered into bond in the sum of forty thousand dollars with **Pleasant Hopkins & Pinckney R. Wharton** as his sureties –
- On Motion **John Gunn** is appointed Guardian to his daughter **Catherine A. Gunn** who entered into bond in the sum of \$16,000 – with **Wm. I. Gilliam, Thomas Roach Sr. & Evan P. Palmir** as his Sureties –
- On Motion **Hugh L. Patrick** is appointed Guardian to **James G. Whitsett** who entered into bond in the sum of \$20,000 – with **Pleasant Hopkins, F. W. Watson & Danl E. Guerrant & T. C. Meador** as his Sureties –
- On Motion **Robert Walker Jr.** is appointed Guardian to **Robert F. and Thomas B. Walker** who entered into bond in the sum of \$3,000. with **Wm. M. Bennett & Wilson D. Moore** as his Sureties
- On Motion **Francis J. Meador** is appointed Guardian to **Samuel J. & Nancy E. Meador** who entered into Bond in the sum of \$1,200. – with **Thomas C. Medor & Wilson Meador** as his Sureties –
- On Motion **A. J. Wall** is appointed Guardian to **John A. Wall** who entered into Bond in the sum of \$100 - with **David P. French & N. L. Blackwell** as his Sureties –
- On Motion **Pinckney Wall** is appointed Guardian to **Sarah & Nancy Whitsett** who entered into bond in the sum of \$2,400 - with **Obadiah McMichael & Alex. Wall** as his Sureties –
- On Motion **Alfred Walker** is appointed Guardian to **Frances & Pinckney Hopkins** who entered into Bond in the sum of \$300 - with **A. G. Walker & Wm. R. Neal** as his Sureties –
- On Motion **William E. Walker** is appointed Guardian to **Ann Pearson** who entered into Bond in the sum of \$96.00 with **James Walker** as his Surety –
- Renewal of Guardian Bonds** On Motion **Robert P. Richardson** Guardian to his Children **Sally Ann, Mary E. & Margaret J. Richardson** renewed his bond in the sum of \$25,000 – with **E. P. Palmer & Robt. H. Scales** as his Sureties
- On Motion **David L. Wright** Guardian to **Sarah A. & David L. Hopkins** renewed his Bond in the sum of \$2,000 – with **L. V. Marcelliott & Nicholas H. Brand** as his Sureties –
- On Motion **Wm. M. Bennett** Guardian to **Wm. J. Bennett & J.J. Bennett** renewed his bond in the sum of \$500. with **E. P. Palmer & J. A. Bennett** as his Sureties –
- On Motion **Thomas D. Price** Guardian to **Walter R. & Caroline, William, Pinckney & Emily Roberts** renewed his bond in the sum of \$2000. with **Allen Price & M. Grogan** as his Sureties –
- On Motion **David J. Jordan** Guardian to **Lucy Jordan & Edward Jordan** Renewed his Bond in the sum of \$400. with **Ulyses Hand & Alexr. M. Searcy** as his Sureties –
- James Wright**, Guardian of **Robert Sims** see page 27

**Renewal of
Guardian Bonds
Cont.**

On Motion **Nicholas Dalton** Guardian to **Mary, Maria, Pleasant & Richard Cardwell** renewed his bond in the sum of \$10,000 –with **James Irvin, A. M. Searcy & Jas. L. Cardwell** as his Sureties –

On Motion **Henry J. McGeehee** Guardian to **Elizabeth & Emily McGeehee** renewed his Bond in the Sum of \$6,000 – with **N. Dalton & Jas. L. Cardwell** as his sureties –

On Motion **E. S. Morris** Guardian to **Mariah L. & Eliza M. Cryer** renewed his Bond in the sum of \$1,800 – with **S. M. Kernodle & Wm. R. Neal** as his sureties –

On Motion **Mary C. Allen** Guardian of **Jas. A. Wm. S., Lucy & Sally Allen** renewed her Bond in the Sum of \$7,000 – with **J. W. Ellington, Wm. M. Ellington & W. B. Johnson** as her Sureties

Thornton Lynn }

& others }

Ex Parte }

Petition to Sell Slaves

This cause coming on to be heard upon the Petition on Statements of Counsel. It is ordered by this Court that the prayer of the Petitioners be granted, that **Robertson Sanders** or Commissioner sell the Slaves mentioned in the pleading, at Lawsonville after twenty days advertisements according to law, upon a credit of Six Months, and that he take bond and Security for the purchase Money and that the money be collected when due and loaned out and that the interest that may accrue be applied to the Support of the Petitioner **Elizabeth** during her life and after her death the money be divided between the other Petitioners according to their rights under the Will –

Hubbard Wilson}

& others }

Ex Parte }

Petition to Sell a Slave

It appearing to the Satisfaction of the Court that the Petitioners are tenants in common of the slave mentioned in the Petition and that the Said Slave cannot be divided in kind among the parties interested. It is therefore Ordered, adjudged & decreed that **Robt. W. Scales** be appointed to make sake of Said Slave and it is further ordered that after advertisement of the Sale at the Courthouse door in the Town of Wentworth and at those of more public places in the County of Rockingham for at least twenty days, he proceed to Sell the said Slave at the late residence of **Elijah Watson** decd upon a credit of six months, first taking bond with approved Security for the purchase Money. It is further ordered that the Said commissioner make his return to the next term of this Court

Thos C. Meadors &}

Others Exors } Petition to sell Slaves

Ex Parte } The cause coming on to be heard upon the Petition, and Suggestion of Counsel, the Court doth declare that Partition of the Slaves mentioned in the Petition, cannot be made, without a Sale, It is therefore ordered by the Court, that the Petitioners proceed to sell the Slaves mentioned in the pleading, upon a credit of six months, at the late residence of the deceased, after twenty days advertisement, that they take bonds payable to themselves as Executors with approved security, and report to the next term of this Court –

Rebecca Roper}

Ex Parte } Petition for years allowance

On Motion **John G. Robertson** a Justice of the Peace, & **Reason Waters, John A. Ratliff** and **Edward T. Brodnax** freeholders, are appointed commissioners to view the Estate of **Charles Roper** deceased & to allot & Set apart to his **Widow Rebecca Roper**, so much of the Stock crop and provisions on hand as may be adequate to the support of herself and family for one year and if there shall not be a sufficiency on hand to afford such an allowance, then to assess the deficiency in money, and also to set apart to the said Widow, one Bed and its necessary furniture, one wheel and one pair of cards and put her in possession thereof, and said Commissioners are to report to the next term of this Court under their hands and seals –

Sarah Whitsett}

& others } Petition to divide Slaves –

Ex Parte } On Motion the following freeholders to wit – **F. W. Watson, Saml. F. Adams, John Winchester & William Scott** are appointed Commissioners to divide the Slaves named in the Petition into four equal parts, and to allot to **Sarah Whitsett** and the other Petitioners each one fourth part thereof in severalty and to report their proceeding, in due form of law to the next term of this Court –

Sarah Whitsett}

Ex Parte } Petition for years allowance –

On Motion **William Scott** a Justice of the Peace and **Robert T. Williams, Robert Brown & Pleasant Hopkins** freeholders, are appointed Commissioners to View the Estate of **Alfred M. Whitsett** deceased, and to allot & set apart to his **Widow Sarah Whitsett** so much of the Crop stock and provisions belonging thereto as may be adequate to the support of herself and family for one year, and if there Shall not be a Sufficiency on hand to afford such an allowance, then to assess the deficiency in Money. Said Commissioners are to report to the next term of this Court, under their hands and seals –

**Alteration
Of Roads**

To the Hon. Court of Common Pleas, February Term 1857

We the undersigned having been summoned by **Wm. D. Bethell** an acting Justice of the Peace for the County of Rockingham State of North Carolina for the purpose of reporting to this Court the condition of the road as proposed to be turned, by the Petitioner, **Stephen Walker & Abm Walker** report as follows –

We have examined the road and find the Change would subject the public to but little inconvenience, only making a difference in the distance between the old and New Road of about fifty yards, the New road will become in a short time about as good as the old one, We find the Change would be of great advantage to the Petitioners, from the fact the road as it now runs proper in about 10 feet of the of the Petitioners dwelling House and interferes very much with enclosing the House, the New part of the road is about one hundred yards, the road as proposed to be Changed will be altogether on the land of Said Petitioners, the Overseer having had Notice was present and makes no objection to the Change and receives the road.

Feby 21st, 1857

**Nathaniel McKinny
V. M. Holderby
Hutchins Ferrell**

It is ordered by the Court that the Change be made in the road as above set forth – and that the overseer work the new road instead of the old –

State of North Carolina}
Rockingham County }

Court of Please and Quarter Session
February Term 1857

It appearing to the Court that **Evan Palmer** hath applied to **Robert Walker** a Justice of the Peace for the appointment of freeholders to View and report upon the change of the road over his own land leaving the Wentworth and Danville road just below Wolf Island Meeting House and entering the road again about 120 yards West of where the present road enters the Greensboro' & Danville road, **Wm. M. Bennett & A. P. Robertson** freeholders in the presence of the said Justice having Viewed the said Change & reported favorably thereof, and **J. A. Bennett** the Overseer having no objection to the Change, therefore it is ordered by the Court that the report of Said freeholders be Confirmed, and that the change be adapted and Established, and that the overseer **J. A. Bennett** and his hands, work the same instead of the Old Road –

James G. Sims Guardian of **Robert Sims**. Comes into Court and resign the Guardianship of said **Robert Sims**, Lunatic. Where upon the Guardianship of the said **Robert Sims** is granted to **James Wright** who entered into bond in the sum of five hundred dollars with **James G. Sims** Security.

**Settlements
Returned**

Settlements with **Richard A. Ellington & I. B. Whittemore** administrators of **Clement Whittemore** deceased returned –

Settlement with **Albert Lomax** Executor of **Anne Fleming** deceased returned –

Settlement with **Robert T. Williams** Administrator of **Sarah Simpson** deceased, returned –

Settlement with **Robert P. Richardson** Administrator of **David Barr** deceased, returned –

Settlement with **J.N. Montgomery** Administrator of **Jane W. Montgomery** deceased, returned –

Settlement with **James Irvin** Administrator of **John Cobb** deceased, returned –

Settlement with **Thomas D. Price** Administrator of **Mahaly Lyles** deceased, returned –

Settlement with **Alexander Wall** Guardian of **Massey Molloy** formerly **Massey McCollum** returned –

Settlement with **George W. Garrett** Guardian of **Thomas Taylor**, returned –

Settlement with **James Scales** Guardian of **James T. Walker** returned –

**Guardian
Returns**

Jenetta Pearson Guardian of **Anna Pearson** Made her returns –

Hamilton Scales Guardian of his son **James R. Scales**, made his returns –

Wm. R. Chrisman Guardian of the heirs of **Solomon Huffine** made his returns –

Martha A. Robertson Guardian of her children made her return –

Robert W. Lawson guardian of **Mary J. & Fanny Lawson, E. A. & Mary H. Lawson, Thomas T. & J. E. Lawson** made his returns –

Nicholas Dalton Guardian of **David S. Patrick** made his returns –

Pinkney Wall Guardian of **Rachell Moore** made his returns –

Nicholas Dalton Guardian of **Richard P. Cardwell** heirs, made his return –

Rufus H. Smith Guardian of **Nathaniel & Joshua R. Smith** made his return –

Daniel E. Guerrant Guardian of **Lucy J. & Nancy P. Meadors** made his return

David L. Wright Guardian of **Sarah A. & David L. Hopkins** made his return –

John H. Jamerson Guardian of **Elizabeth Joyce & others** made his returns –

Guardian Returns **Henry J. McGeehee** Guardian of **Elizabeth & Emily McGeehee**,
Cont. made his returns –

Archibald Bevel Guardian of **A.W. Winchester**, made his returns –

Thomas C. Meadors Guardian of **Richd. D. Barte**, made his returns –

Samuel Whitt Guardian of **Martha J. Winchester**, made his returns –

Daniel J. Jordan Guardian for his children, made his returns –

William Carter Guardian for **S.E.F. Carter**, made his returns –

Ulyses Hand Guardian for **Richard Webster**, made his returns –

William M. Bennett Guardian for **Wm. & Jas. Bennett**, made his returns

James M. Donnell Guardian of **James M. Matier & J.W.C. Watson**
made his returns –

James W. Moore Guardian of **Adie Moore**, made his returns –

George W. Peay Guardian of **Mary E. Jones**, made his returns –

Pinkey R. Wharton Guardian of **William & David Moore**, made his
returns –

Jones W. Burton Guardian of **Ann E. Tinsbloom** made his returns –

Mary C. Allen Guardian for **James A. Allen & others** made her returns –

Wm. M. Ellington Guardian of **Julia & Rosanah Moore** made his return

Inventories & Inventory of the Estate of **William Scarlett** returned by **Saml. B. Cobb**
Sale lists Exr. Inventory of Sale lists of the property of **Joseph Allen** deceased
Returned returned by **William F. & E. R. Windsor** Adms –

Inventory & Sale list of the property of **Daniel Arney** decd returned by **J.**
W. Burton Exr.

Inventory & Sale list of the property of **David Scott** deceased returned by
James T. Morehead Exr –

Sale list of the property of **Ruth Jones** decd returned by **A.G. Walker**
Special Att.

Additional Sale list of the property of **William Warren** decd returned by
R. Walker Jr. Adm. –

Sale list of the property of **Abraham Setliff** deceased, returned by **George Setliff** Exr –

Inventory and Sale list of the property of **John Winchester** decd returned by **G. Winchester** adm –

Inventory of the property of **Elizabeth A. Lomax** decd returned by **A. Lomax** Adm –

Deeds & C. Deeds, Powers of Att. & C. Proven and Ordered to be Registered – to wit – It appearing to the satisfaction of the Court that a Power of Attorney from **William J. Wall** to **Samuel S. Wall** had been duly Executed, It is ordered by the Court that the Same be recorded & Registered –

Deed. **Lazerus Fels** from **B. F. Foy**
 Deed. **Thomas H. & James R. Pratt** from **Thomas Pratt** –
 Deed- **David M. Osborn** from **N. L. Blackwell** –
 Deed - **Joel A. Gentry** from **Richard Gentry** –
 Deed - **Robt R. Gallaway** from **T. W. Keen** –
 Deed - **M. J. Hampton & George W. Harris** from **Robert R. Gallaway**
 Deed - **Henry Nance** from **Nancy Vernon** –
 Deed - **James Lucas** from **Alfred Reid** –
 Deed - **A. M. Scales Jr.** from **Nicholas Dalton & Wife** –
 Deed - **Elisha Allen** from **Henry Johnson** –
 Deed - **Thomas Reynolds** from **John M. Morehead** –
 Deed - **B.F. Foy** from **P. Webster** –
 Deed - **P. H. Price** from **Strong & Adams** –
 Deed - **R. B. Estes** from **D. D. Jarratt** –
 Deed - **Thomas Reynolds** from **Letitia Stephens** –
 Deed - **Rufus H. Smith** from **James M. Scales** –
 Deed - **Joseph Odell** from **James Kelly** –
 Deed - **John Moir** from **Jane McDonald** –
 Deed - **George W. Stubblefield** from **Clerk & Master** –
 Deed - **Joseph H. Glenn** from **Sarah Glenn** –
 Deed - **Nicholas Martin** from **James Roberts Sheriff** –
 Deed - **F. W. Watson** from **Clerk & Master** –
 Deed - **Jonathan Humphreys** from **Wm. J. Gilliam** –
 Deed - **David P. French** from **Wm. J. Gilliam** –
 Deed - **Thomas Reynolds** from **J. M. Morehead & J. M. Reynolds** –

Deeds
Cont.

Deed - **R. A. Holderby** from **D. E. Guerrant** Exr.
 Deed - **Saml Smith** from **Jones W. Burton** Adm -
 Deed - **James R. Wall** from **John C. Wall** -
 Deed - **Thomas Reynolds** from **A.B. Johns** -
 Deed - **James R. Wall** from **William Scarlett** -
 Deed - **John Thacker** from **George Hairston** -
 Deed - **Alfred Walker** from **James Walker** -
 Deed - **Martin Hopper** from **Henry Carter** -
 Deed - **James M. Moore** from **Doctor Mahon** -
 Deed - **John Roberts** from **George W. Roberts** -
 Deed - **Anderson Baker** from **William Powers** -
 Deed - **A. M. Searcy** from **P. Black** -
 Deed - **Richard Gentry** from **Joel A. Gentry** -
 Deed - **Thomas Reynolds** from **Robert & Amy Grogan** -
 Deed - **W. J. R. Purgason** from **N. Winchester** -
 Deed - **R. A. Ellington** from **John Chrisman** -
 Deed - **James C. Williams** from **James Williams** -
 Deed - **R. Harris** & others School Com. Dist. No. 7 from **John Stacy** -
 Deed - **A. Price** from **Martin Grogan** -
 Deed - **A. M. Searcy** from **T. W. Wilson** -
 Deed - **Michael H. Thomas** from **Saml Thomas** -
 Deed - **John M. Reynolds** from **Thomas Reynolds** -
 Deed - **W. W. Oliver** from **S. A. Dalton** -
 Deed - **Wm. J. Gilliam** from **J. B. Humphreys** -
 Grant - **John Gunn** from the **State of North Carolina**

Deed Trust -	John H. Boyd Trustee from Benjamin Allan	Feby 23 rd 1857
Deed Trust -	John Strong Trustee from Henry Nance	Feby 24 th "
Deed Trust -	Thomas D. Price Trustee from King Roberts	" " "
Deed Trust -	Walker Smith Trustee from Thomas Joyce	" " "
Deed Trust -	T. K. Cummings Trustee from Elisha Allen	" " "
Deed Trust -	T.F.Cayle Trustee from W.R.D. Lindsay & J. R. Aikin	" 27 th "
Deed -	John Gunn from W. M. Ellington	March 3 rd "
Deed Trust -	I.B. Whittemore Trustee from Sam Jones & M. Burk	April 1 st "
Deed Trust -	John H. Jamerson Trustee from Thomas Joyce	" " "
Deed -	John Gunn from Robert Gallaway	" 11 th "
Deed -	Isaac Patterson from Beverly Powell	" " "
Power of Atto -	Wm. M. Ellington from Saml S. Wall & Wife	" 18 th "

May Term 1857

Rockingham County Court Minutes

State of North Carolina }
 Rockingham County }

Organization

Be it remembered that at a Court of Pleas and Quarter Session begun and held for the County of Rockingham at the Court House in Wentworth on the fourth Monday of May 1857 being the 25th day of the said Month –

Present on the bench

F.L. Simpson
A.M. Roach
J.M. Grogan

When and where **James Roberts** Sheriff returned to Court the following persons summoned as Jurors to this Term to wit –

- | | | |
|--------------------------------|--------------------------------|--------------------------------|
| 1. Hugh K. Reid | 13. Reason C. Jeffreys | 25. Joseph H. Glenn |
| 2. Christopher G. Terry | 14. Pendleton Ratliff | 26. Nicholas H. Brann |
| 3. John Irvin | 15. Sanford W. Lanier | 27. Hiram Gibson |
| 4. Thomas Roach Jr. | 16. Jesse T. Leftwich | 28. William E. Walker |
| 5. Granville Price | 17. Moore Lumpkin | 29. Hamilton Martin |
| 6. Samuel Cornwall | 18. Valentine Allen | 30. William Mitchell |
| 7. David McCollum | 19. Thomas Purguson | 31. not summoned |
| 8. Daniel Boyles | 20. Allen Martin | 32. Alfred Saunders Sr. |
| 9. Thomas Carter | 21. John C. Carter | 33. Rufus Manly |
| 10. Edward Watlington | 22. Bartholomew Grogan | 34. William G. Webb |
| 11. James Walker | 23. Jas. M. Scales, Sr. | 35. Elisha Wade |
| 12. Alfred Walker | 24. James Morgan | 36. Robert M. Jones |

From among whom the following were drawn as Grand Jurors for this Term to wit –

- | | | |
|------------------------------------|------------------------------|--------------------------------|
| 1. Jas. M. Scales (Foreman) | 7. Reason C. Jeffreys | 13. Bartholomew Grogan |
| 2. Hamilton Martin | 8. Thomas Roach, Jr. | 14. Valentine Allen |
| 3. Hiram Gibson | 9. Joseph H. Glenn | 15. Alfred Saunders Sr. |
| 4. Elisha Wade | 10. Pendleton Ratliff | 16. William Mitchell |
| 5. David McCollum | 11. Samuel Cornwall | 17. Jesse T. Leftwich |
| 6. William G. Webb | 12. Granville Price | 18. Sanford W. Lanier |

Who after being duly Sworn and Charged and Officer **James D. Ellington** Sworn to attend them, retired to their room for the dispatch of business.

When the following of the Original pannel were called & answered to wit –
John Irvin, Robert M. Jones, John C. Carter, Allen Martin, William E. Walker, Rufus Manly, Alfred Walker, James Walker, Thomas Carter & James Morgan –

The following Jurors summoned to this Term, called and failed to appear to wit –
Moore Lumpkin, Thomas Purgason, and Nicholas H. Brann – Fined \$20 each –

Probate of Wills

A paper writing purporting to be the last Will and Testament of **William Scarlett** deceased, is exhibited for probate in open Court by **Samuel B. Cobb** the Executor therein named, and it is thereupon proved by the Oath and examination of **James B. Douglas** that **Henry Sawyer** one of the subscribing witnesses thereto, resides beyond the limits of this State, and thereupon the handwriting of the said **Henry Sawyer** is proved by the said **James B. Douglas** – a thereupon the said **Samuel B. Cobb** Executor as aforesaid duly qualifies as such by taking the Oath required by law – Nov. Term 1856 –

And at the February Term 1857 of said Court, the due Execution of said Will by the said **William Scarlett**, is proved by the Oath and examination of **F. Watkins** the other subscribing witness thereto. It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and Testament of the said **William Scarlett** deceased, and the same is ordered to be recorded and filed –

A paper writing purporting to be the last Will and Testament of **Spencer Kallam** deceased, is exhibited for probate in open Court by **Allen Kallam** the Executor therein named, and it is thereupon proved by the Oath and examination of **Joseph Martin** and **Joseph Smith** (two of the subscribing witnesses thereto is dead) It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and Testament of the said **Spencer Kallam**, and the same is ordered to be recorded and filed –

And thereupon the said **Allen Kallam** Executor as aforesaid duly qualifies as such, by taking the Oath required by law –

A paper writing purporting the be the last Will and Testament of **Drury Price** deceased with a codicil thereto annexed, having been heretofore to wit – at the last term of this Court, propounded for probate and then duly proved by **R.G. Hopper** one of the subscribing witnesses and continued to this term for further proof, and now at this term of the Court on Motion of the Executors therein named, the due Examination of said Will and the Codicil thereto is further and fully proved by the Oath and Examination of **Richard Johnson** the other subscribing witness thereto – It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and Testament of the said **Drury Price** deceased – and the same is ordered to be recorded and filed.

The last Will and Testament of **Fleming Goolsby** deceased was exhibited for Probate in open Court at the August Term of this Court 1856, and duly proved by the Oath and examination of the subscribing witnesses thereto and ordered to be recorded and filed, and the Executors **James M. Scales** and **Joseph H. Cardwell** (named in said Will) duly qualified as such – and it appearing that the original has by accident been lost – and a Copy being exhibited in open Court, and proved to be such by the Oath and examination of **Joseph H. Cardwell** – The same is ordered to be recorded and filed.

Probates Continued

A paper writing purporting to be the last Will and Testament of **Thomas B. Wheeler** deceased is exhibited for probate in open Court by **Ezekiel W. Hancock** the Executor therein named, and the due execution thereof by the same and **I.B. Whittemore** the subscribing witnesses thereto, It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and testament of the said **Thomas B. Wheeler**, and the same is ordered to be recorded and filed.

And thereupon the said **Ezekiel W. Hancock** Executor as aforesaid duly qualifies as such by taking the Oath required by law –

A paper writing purporting to be the last Will and Testament of **Janet McDonald** deceased is exhibited for Probate in open Court by **John Moir** the Executor therein named, and the due Execution thereof by the said **Janet McDonald** is proved by the Oath and examination of **Jones W. Burton** and **Thomas Reynolds** the subscribing witnesses thereto, It is therefore considered by the Court that the said paper writing and every part thereof, is the last Will and Testament of the said **Janet McDonald** and the same is ordered to be recorded and filed –

And thereupon the said **John Moir** Executor as aforesaid duly qualifies as such by taking the Oath required by law –

A paper writing purporting to be the last Will and Testament of **Nancy Neal** deceased, is exhibited for probate in open Court by **Joseph W. Neal** the Executor therein named and the due execution thereof by the said **Nancy Neal**, is proved by the Oath and examination of **Robert B. Watt** and **Thomas B. Johnston** the subscribing witnesses thereto, It is therefore considered by the Court that the said paper writing and every part thereof is the last Will and Testament of the said **Nancy Neal**, and the same is ordered to be recorded and filed –

And thereupon the said **Joseph W. Neal** Executor as aforesaid duly qualifies as such by taking the Oath required by law –

Martha Weadon, the Executrix named in the last Will & Testament of **William Weadon** deceased, which has been heretofore recorded and filed – came into open Court and duly qualifies as such by taking the Oath required by Law –

State Cases

State }
 Vs }
Thomas H. Joyce & }
George Roberts }

Defts. Pleads not guilty

When comes the following Jury to wit –

John Irvin, Robert M. Jones, John C. Carter, Allen Martin, Wm. E. Walker, Rufus Manly, Alfred Walker, James Walker, Thomas Carter, James Morgan, James B. Douglas & Nathan Mobley, who being duly Sworn and empannelled for their Verdict say they find the Defendants both guilty in manner and form as charged in the Bill of Indictment –

It is thereupon Ordered and adjudged by the Court that the Defendants be fined \$1.00 each and ordered in Custody of the Sheriff until the fine & costs are paid –

State }
 Vs }
Green Craddock & }
Danl. J. Patterson }

Continued by the State for Defendant **Patterson** –

The Defendant **Green Craddock** and **Thomas H. Joyce** acknowledge themselves indebted to the State of North Carolina in the sum of fifty dollars each, to be levied of their goods and Chattles, lands and Tenements, to be void on Condition the said **Green Craddock** shall make is personal appearance at the next Term of this Court, to answer a charge the State against him, and does not depart therefrom without leave –

State }
 Vs }
Henry Nance }

The Defendant **Henry Nance** and **John W. May** acknowledge themselves indebted to the State of North Carolina in the sum of one hundred dollars each, to be levied of their goods and Chattles, lands & tenements, to be void on condition the said **Henry Nance** shall make his personal appearance at the next Term of this Court to answer a charge the State against him, and does not depart therefrom without leave.

State }
 Vs }
Major McDaniel & }
Maria Fisher }

Defendants acknowledge themselves indebted to the State of North Carolina in the sum of \$100. each to be levied of their goods and Chattles, lands and tenements, to be void on condition they shall make their personal appearance at the next Term of this Court to answer a charge the State against them, and not depart thereupon without leave.

State }
 Vs }
Pendleton Jones }

The Defendant submits - Fined 6.00 & cost of suit – Motion being waived – The Defendant **P. Jones** took the Oath of Insolvency and was discharged –

State Cases Continued

State	}	
Vs	}	The Defendants pleads not guilty.
James Kelly &	}	When comes the following Jury to wit – John Irvin,
Hardason Cox	}	Robt. M. Jones, John C. Carter, Allen Martin, Wm. E. Walker, Rufus Manly, Alfred Walker, James Walker, Thomas Carter, James Martin, Pleasant Price, & James B. Douglas, who being duly Sworn and empannelled for their Verdict say, they find the Defendants not guilty –
State	}	No. 17 – Deft. Surrendered in open Court by David Brown
Vs	}	security –
Elijah Gatewood	}	The Defendant pleads not guilty –
		When comes the following Jury to wit – Henry Johnson, Ezekiel Wheeler, James H. Hall, Nathan Mobley, Thomas Blackwell, Josiah F. Taylor, John G. Watkins, Sidney Flack, B.G. Poole, Ebenezer Carter, John Blackwell, & J.Q. Montgomery - Who being duly Sworn and empannelled, for their Verdict say they find the Defendant Guilty in Manner and form as charged in the Bill of Indictment.
		It is Ordered & adjudged by the Court that the Defendant be fined 6.00 and ordered in custody until the fine and cost are paid.
State	}	Defendant pleads not guilty
Vs	}	When comes the same Jury as in No. 17 – Who being duly
Joseph Stewart &	}	Sworn and empannelled for their Verdict say they find the
Benjamin Stewart	}	Defendants not guilty –
State	}	Defendants submits –
Vs	}	It is ordered and adjudged by the Court that the Defendants
Joseph Stewart &	}	be fined 6.00 each and be in custody of the Sheriff until the
Benjamin Stewart	}	finest & costs are paid – Joseph Martin enters as surety –
State	}	The Defendant pleads not guilty –
Vs	}	When comes the same Jury as in No. 17 – Who being duly
James A. Jones	}	Sworn and empannelled for their Verdict say they find the Defendant not Guilty –
State	}	
Vs	}	The Defendant Submits –
Sidney Flack	}	It is ordered and adjudged by the Court that the Defendant be fined \$2.50 –

State Cases Continued

State	}	Continued
Vs	}	The Defendant Basley Wilson & David M. Molloy
Basley Wilson	}	acknowledge themselves indebted to the State of North Carolina in the sum of one hundred dollars each, to be levied of their goods and Chattels, lands and tenements, to be Void on condition the said Defendant shall make his personal appearance at the next term of this Court to answer a charge the State against him, and not depart thereupon without leave –
State	}	Bastardy –
Vs	}	The Defendant pleads not Guilty
Charles Gates	}	When comes the following Jury to wit – John Irvin, Robert M. Jones, Allen Martin, Rufus Manly, Alfred Walker, James B. Douglas, Martin Hopper, Wm. McCholister, Abram Walker, David P. French, James H. Hall & Thomas Blackwell – Who being duly Sworn and empannelled for their Verdict say that the Defendant is not the father of the Child –
State	}	
Vs	}	The Defendant Submits –
David M. Molloy	}	It is Ordered and adjudged by the Court that the Defendant be fined ten dollars - & cost - It is Ordered that he be in Custody of the Sheriff until the fine and cost are paid –
State	}	No. 28
Vs	}	Defendant pleads not Guilty –
David M. Molloy	}	When comes the following Jury to wit – John C. Carter, Wm. E. Walker, James Walker, Thomas Carter, James Morgan, Pleasant Price, Henry Johnson, Ezekiel Wheeler, Nathan Mobley, James Q. Montgomery, John G. Watkins & Sidney Flack , who being duly Sworn and empannelled for their Verdict say they find the Defendant Guilty, in manner and form as charged in the Bill of Indictment –
		It is ordered and adjudged by the Court that the Defendant be fined ten dollars & that he be in custody of the Sheriff until the fine & cost are paid –
State	}	
Vs	}	Defendant and Saml. A. Garrett & Saml. Stewart confess
David M. Molloy	}	Judgments, to be Void on payment of the fines and costs in the two cases above wherein David M. Molloy is Defendant

State Cases Continued

State } The Defendant Pleads not Guilty
 Vs } When comes the same Jury as in No. 28 – who being duly
Nathaniel Allen } Sworn and empannelled for their Verdict say they find the
 Defendant Guilty, in manner and form as charged in the
 Bill of Indictment –

It is ordered and adjudged that the Defendant be
 fined five dollars and that he be in Custody of the Sheriff
 until the fine and cost are paid –

State } No. 36 –
 Vs } The Defendants pleads not Guilty –
David Atkins } When comes the following Jury to wit – **John C. Carter,**
John Brankin } **Wm. E. Walker, James Walker, Thomas Carter, James**
Morgan, Pleasant Price, Henry Johnson, Ezekiel
Wheeler, Nathan Mobley, J.Q. Montgomery, John Irvin
& Allen Martin – who being duly Sworn and
 empannelled, for their Verdict say they find the Defendant
John Brankin Guilty in Manner and form as charged in the
 Bill of Indictment – and they further say they find the
 Defendant **Atkins** not Guilty

It is ordered and adjudged by the Court that the
 Defendant John Brankin be fined 6.00 and be in custody of
 the Sheriff until the fine and cost are paid -

State } The Defendants pleads not Guilty –
 Vs } When comes the same Jury as in No. 36 – who being
John Brankin & } Sworn and empannelled for their Verdict say they find the
Joseph Chilton } Defendant **Brankin** Guilty - and the Defendant **Joseph**
Chilton not Guilty –

It is ordered and adjudged that the Defendant **John**
Brankin be fined 6.00 and be in Custody of the Sheriff
 until the fine and costs are paid –

When **Sanford W. Lanier** confessed Judgment for
 the sum of twenty five dollars in each of the above cases, to
 be Void on payment of the fine and costs in each case –

State }
 Vs } Deft Submits – Fine 6.00 & cost
Andrew Griffin }

State }
 Vs } Deft. Submits – Fine 6.00 & cost
The Same }

State Cases Continued

State	}	Defendant pleads not Guilty –
Vs	}	When comes the following Jury to wit – John Irvin,
Freeman Malcom	}	Robert M. Jones, John C. Carter, Allen Martin, Wm. E. Walker, Rufus Manly, Alfred Walker, James Walker, Thomas Carter, James Morgan, Henry Johnson & James B. Douglas, who being duly Sworn and empannelled for their Verdict say they find the defendant Guilty in manner and form as charged in the Bill of Indictment –

It is ordered and adjudged by the Court that the Defendant be fined 1.00 and be in custody of the Sheriff until the fine and cost are paid –

Jas. Roberts Sheriff security –

State	}	Defendant Submits – Judgment suspended until next Term
Vs	}	The Defendant acknowledged himself indebted to the State of North Carolina in the sum of one hundred dollars to be levied of his goods and Chattels, lands and tenements to be Void on the Condition that he make his personal appearance at the next term of this Court, and stand to and abide by the Judgment of said Court –
Joseph T. Fargis	}	

Double Tax remitted It is ordered by the Court that the double Tax of **Mrs. Mary Martin** be remitted for the year 1856 –

It is ordered by the Court that the double Tax of **Samuel Stewart** be remitted for the year 1856 –

It appearing to the Court that **David Scott** was prevented by sickness from giving in a list of his Taxable property for 1856 – whereby he became subject to a double Tax. It is ordered by the Court that the Estate of the said **David Scott** be released and discharged from the payment of a double Tax for the year 1856 –

It is ordered by the Court that the double Tax of **Nathaniel & Joshua Smith** by reason of the failure of **R.H. Smith** their Guardian to list their property be remitted for the year 1856 –

Indulgence on Settlements

It is ordered by the Court that **Mrs. Lyon** be indulged until the next term of this Court to make settlement on her husbands Estate

On Motion **John Strong** Adm. Of **Joseph Lane** is indulged until the next term of this Court to make return of settlement

Also **Ezekiel Wheeler & Margaret Jones** Exor & Exorx of **John V. Jones** Decd. Is indulged until next term to make settlement.

Allowances It is ordered by the Court that the County Trustee pay to **J.H. Ellington** the sum of Thirty Eight dollars & sixty eight cents for three record books for the County Court Clerks Office and one Do. for Registers Office –

It is ordered by the Court that the County Trustee pay to **James Raines** the sum of seven dollars & forty cents for summoning a Jury & holding an inquest over the dead body of **Isaac Durham** – Also two dollars and sixty three cents for advertising Court order Dec. 1856 for **Captain Irvin** Clerk of Superior Court –

Seven Justices on the Bench

Retailers of Spts Liquors It is ordered by the Court that License to retail Spiritous Liquors in the Town of Wentworth for the ensuing twelve months be granted to **B.J.Law**

It is ordered by the Court that License to retail Spiritous Liquors at Grogansville for the ensuing twelve months be granted to **James M. Grogan**.

It is ordered by the Court that License to retail Spiritous Liquors in the Town of Madison for the ensuing twelve months be granted to **Michael Nowland** –

Committes to Settle Ordered by the Court that **David L. Wright & Ezekiel Wheeler** be appointed Commissioners to settle with **Pinckney R. Wharton** Administrator of **Rebecca Proctor** & report to the next term of this Court

Ordered by the Court that **Albert Lomax, William Scott and John Winchester** be appointed Commissioners to Audit & settle the accounts of **William Cummings** Administrator of **Thomas Knight** decd. and that they allow him five per cent on both sides of his account, and report to the next term of this Court –

On Motion **Daniel Carroll** administrator of **Lany Carroll** decd be allowed five per cent on both sides of his account, and **Robert P. Richardson** and **Ro. Walker Sr.** are appointed Commissioners to make said Settlement and return the same to the next term of this Court –

On Motion it is ordered by the Court that **Rufus H. Massey** Guardian of **Nathan J. Massey** be allowed five pr.ct. Commissions on both sides of the account current between him and his Ward –

Committees Continued Ordered by the Court that **John H. Boyd & W.M. Ellington** be appointed Commissioners to Audit the claims against **Jetson J. Astin** and to report the amount of assets which have come into the Sheriffs hands arising from the property, debts and claims set forth in the Schedule heretofore filed by the said **Astin**, and report to the next term of this Court –

Ordered by the Court that **William Dalton, John Kallam & Richard Martin Esq.**, or any two of them be appointed commissioners to settle with **Drury Smith** Administrator of **Daniel Smith** decd. and that he be allowed five per cent commissions on both sides of his account & that they report to the next term of this Court –

Ordered by the Court that **Samuel F. Adams & Samuel H. Boyd** be appointed Commissioners to settle with **R.N. Lowe** administrator on the Estate of **Henry King** decd. and report to the next term of this Court – and that the true amount due from him is \$716. instead of \$912 as returned by him to Court as admr of said **King**

Ordered by the Court that **Alvis Daniel** and **Dr. Jas. P. DeJarnatte** be appointed Commissioners to settle with **William D. Bethell** adm. of **Benjamin Sadler** deceased and that he be allowed five per cent on both sides of his account and report to the next term of this Court –

Ordered by the Court that **James Wright & Alexander M. Roach** be appointed Commissioners to settle with **Jacob Summers** administrator with the Will annexed of **Andrew Summers** decd. and that he be allowed five per cent commissions on the receipts and 2 ½ pr. cent on the disbursements, and report to the next term of this Court –

It appearing to the Court that **Drury Smith** and **John Kallam** appointed Commissioners at the last term to settle with **Thomas Dalton** Guardian of the children of **Eppy Rhodes** failed to make their settlement – It is ordered that **Drury Smith & Nathl H. Dodd** be appointed commissioners to make the settlement heretofore directed and report to this Term –

Ordered by the Court that **Samuel F. Adams, William Irvin & John N. Irvin** be appointed Commissioners to settle with **George D. Boyd** administrator of **Richard Wiles** decd. and that he be allowed five per cent on both sides of the account, and report to the next term of this Court

Ordered by the Court that **David I. Rawley, Edwin R. Harris & John Stacy** be appointed commissioners to settle with **Thomas J. Mills & Susan Nunnally** Exors of **L. Nunnally** decd. and that they be allowed five per cent on both sides of the account, and report to the next term of this Court –

Committees It is ordered by the Court that **William P. Watt, Robert H. Scales & Robert W. Lawson** be appointed Commissioners to Value the Negro Slaves belonging to the Estate of **Nancy Neal** deceased, according to the provisions of the Will of said deed and report accordingly –

Patrols Appointed Ordered by the Court that **William P. Watt, Joseph W. Neal and Robert W. Lawson** be appointed Patrol committee in the Lafayette District –

Ordered by the Court that **George C. Cahel, John M. Ellington, William H. Duncan, I.B. Whittemore & E.W. Hancock** be appointed Patrol in the Wentworth District –

Ordered by the Court that **James M. Scales, John L. Scales & Joseph Reddick** be appointed as Patrol Committee on Spring Garden District –

Administrator appointed On Motion **Powhattan D. McCollum** is appointed administrator on the Estate of **Mary McCollum**, who entered into bond in the sum of one thousand dollars with **William S. Yors & Wm. McCollum** as his securities, and qualifies by taking the oath required by law –

Guardians appointed On Motion **Eli Isley** is appointed Guardian to his Minor Children who entered into bond in the sum of five hundred dollars with **Henry M. Fuller** and **Henry J. Truitt** as his sureties –

On Motion **John W.S. Lowe** is appointed Guardian of **Jacob Coble** (Lunatic) who entered into bond in the sum of \$1000.00 with **William S. Yors** and **Isaac Bason** as his sureties –

On Motion **Alanson Massey** is appointed Guardian to **Jane, Elizabeth, Amy, Mary & Nathan Massey** who entered into bond in the sum of \$500. with **Geo. W. Purcell & Robt. Simpson** his sureties –

On Motion **E.M. Powell** is appointed Guardian to **Jane, Ann and James** infant Children of **William Williams** who entered into bond in the sum of \$10,000.00 with **H.L. Patrick, A. Walker & J.Q. Montgomery** as his securities –

On Motion **Sanford W. Laneir** is appointed Guardian to **Louiza E.V. Nunnally & Sarah Nunnally** who entered into bond in the sum of \$2000.00 with **D.E. Guerrant & Jesse T. Leftwich** as his sureties

**Guardians
continued**

On Motion **Leonard V. Marcelliott** is appointed Guardian to **Mary Marcelliott**, who entered into band in the sum of \$50.00 with **Andrew Mateir** as his security –

On Motion **Daniel E. Guerrant** is appointed Guardian to **Martha J. & Nancy D. Nunnally** who entered into bond in the sum of \$2,500.00 with **Creed F. Ellington, S.W. Laneir & V.M. Holderby** as his sureties –

On Motion **William Nunnally** is appointed Guardian to **William Nunnally**, who entered into bond in the sum of \$1200.00 with **Susan S. Nunnally** as his security –

On Motion **David Mitchell** is appointed guardian to **Garrett Knott & Grace Knott** who entered into bond in the sum of \$1000.00 with **William King & Richard N. Lowe** as his sureties –

On Motion **Mary D. Wray** is appointed Guardian to **Albert, Talitha, William R. & Thomas Wray** who entered into bond in the sum of \$500.00 with **Robert T. Williams & Tyre Carter** as her sureties –

On Motion **Thomas W. Keen** is appointed Guardian to **Stephen, Susan & Nancy Cobb**, who entered into bond in the sum of \$100.00 with **James Irvin & John W. Ellington** as his sureties –

On Motion **Joshua T. Smith** is appointed Guardian to **Haywood, John L. & Mary A. Smith** who entered into bond in the sum of \$1200.00 with **Walter R. Smith and Edward M. Matthews** as his sureties –

**Judges of
Elections
appointed**

It is Ordered by the Court that the following persons be appointed Judges to hold Elections on the first Thursday in August 1857 at the different precincts in Rockingham County for a Member to Congress, Clerk of the County and Superior Courts and on the question of Free Suffrage to wit –

Wentworth

Congress – **J.W. Ellington, Esq. Levin Minor & John A. Ratliff**
Clerks – **Thos. Roach Esq. Pendleton Ratliff & John A. Alcorn** –
Free Suffrage – **John G. Robertson Esq. Jas. Wright & James Mitchell**

Wrights X Roads

Congress – **Geo. W. Garrett, Esq. Hugh K. Reid & E.S. Morris** –
Clerks – **A.M. Roach Esq. Robt. H. Scales & Larkin Thacker** –
Free Suffrage – **A.G. Walker Esq., Wm. McCollum & Baily Martin** –

Warriners

Congress – **Wm. D. Bethell Esq. Thos. Blackwell & Wm. F. Mills**
Clerks – **D.I. Rawley Esq. R.A. Holderby & Wm. J. Gilliam** –
Free Suffrage – **Alvis Daniel Esq., Wm. P. Watt & Saml. B. Cobb** –

**Judges of
Elections
continued**

Leaksville

Congress – Geo. L. Aikin Esq., F.B. Moore & George W. Peay –
Clerks – Orson Martin Esq., Robt. Moir & John Strong –
Free Suffrage – Jones W. Burton Esq., John Moir & John M. Reynolds

Grogansville

Congress – William Dalton Esq. Reece Price & John Roberts Jr.
Clerks – Allen Price Esq., John Joyce & Martin Grogan -
Free Suffrage – N.H. Dodd Esq., E.P. Barnes & Henry Barnes –

H. Martins

Congress – James A. Vernon, Esq., Wm. Martin & David Joyce -
Clerks – J.W. Martin, Esq., John H. Jamerson & Thos. Martin Jr. -
Free Suffrage – Saml. Martin Esq., Richd. Martin & Saml. Gann –

Madison

Congress – A.P. Smith Esq. Wm. B. Carter & John D. Watkins
Clerks – John Ayers Esq., Wm. L. Scales & T.S. Black -
Free Suffrage – T.O. Robertson Esq. Pleasant Webster & C.F. Watkins

Rocky Springs

Congress – Wm. Carter Esq. Peter F. Webster & J.W. Moore
Clerks – Thos. Payne Esq, Griffin Gunn & Daniel Perry
Free Suffrage – R.B. Henderson Esq, Jas. M. Tucker & G.W. Martin –

New Bethell

Congress – Wm. Scott Esq., Smith Moore & Wm. Cummings -
Clerks – A. Lomax Esq., Wm. Herbin & James Bason -
Free Suffrage – J.T. Simpson Esq. Wm. S. Yors & E.M. Woodburn –

Whitsetts

Congress – R. Walker Jr. Esq., Brown Dye & P. Hopkins -
Clerks – Geo. D. Boyd, Esq., F.W. Watson & Alfred Reid -
Free Suffrage – Robt.T. Williams Esq., Jas.M.Haynes & Wm.P.

Williams

**Justices
appointed
to take the
Tax List**

Ordered by the Court that the following Justices be appointed to take the list of Taxables for the year 1857, and make return according to Law to wit –

Wentworth District	John W. Ellington Esq.
Jefferson “	Thomas Roach Esq.
Reidsville “	Robert Walker Sr. Esq.
Oregon Hill “	Alvis Daniel Esq.
Mount Airy “	David I. Rawley Esq.
Lafayette “	John Stacy Esq.
High Rock “	F.L. Simpson Esq.
Troublesome Bridge “	Amos G. Walker Esq.
Iron Works “	Geo. D. Boyd Esq.
Washington “	Robt. M. Napier Esq.
Pleasantville “	John W.S. Lowe Esq.
New Bethell “	Albert Lomax Esq.
Rocky Springs “	R.B. Henderson Esq.
Madison “	R.H. Gladson Esq.
H. Martins “	Saml. Martin Esq.
Grogansville “	Jas. M. Grogan Esq.
Spring Garden “	Tyre Carter Esq.
Leaksville “	Orson Martin Esq.

Civil	A.M. Whitsett	}
Cases	Vs	}
	William Isley	}
	Eli Isley	}

Pleas withdrawn

Judgment by default final according to Specialty filed for the sum of \$161.86 with interest from the 27th May 1854 until paid –

James Tatum	}
Vs	}
Thomas Joyce	}

No. 17

Defendant pleads payment & set off –

When comes the following Jury to wit –

P.D. Hopper, P.R. Wharton, John Y. Stokes, Jackson Jones, William Lindsay, Hervey Moore, Wm. Hutson, John G. Rainy, Richard Coram, James Ratliff, Creed F. Ellington & Jas. W.

Hutcherson – Who being duly sworn and empannelled for their Verdict say they find the balance of the principal of the bond declared on after deducting endorsed payments to be \$137.15 and assess the plaintiff damages by way of Interest to \$9.73 – Judgment of the Court accordingly –

Civil	Theophilus Phillips	}	No. 18
Cases	Vs	}	Genl Issue payment & set off & c.
continued	O. Smallwood	}	When comes the same Jury as in No. 17 who being
	R.R. Gallaway	}	duly Sworn and empannelled, for their Verdict say they
			find all issues in favor of the plaintiff and
			assess the Plaintiff damages to \$73.57 of which sum
			\$67.50 is Principal Money, Judgment of the Court
			accordingly –
			From which Judgment the Defendants prays and
			obtains an appeal to the Superior Court
			Appeal bond waived –
	Frank Phillips	}	No. 19
	Vs	}	Genl Issue payment & set off & c.
	O. Smallwood	}	When comes the Same Jury as in No. 17 who being
	R.R. Gallaway	}	Sworn and empannelled for their Verdict say they
			find all issues in favor of the Plaintiff, and assess
			the Plaintiff damages to \$89.72, of which sum
			\$82.50 is principal money – Judgment of the Court
			accordingly –
			From which Judgment the Defendants prays and
			obtains an appeal to the Superior Court -
			Appeal bond waived –
	Saml. Blackwell	}	No. 21
	Vs	}	Payment & set off
	Jesse T. Leftwich	}	When comes the Same Jury as in No. 17, who being
	David I. Rawley	}	sworn and empannelled, for their Verdict say they
	Sanford W. Laneir	}	find the principal of the bond declared on to be
	E.R. Harris	}	\$1100.00 that there is no payment or set off and
			assess the Plaintiff damages for Interest to \$167.20
			Judgment of the Court accordingly –
	Wm. D. Bethell	}	No. 22
	Vs	}	Payment & set off –
	Wm. C. Patterson	}	When comes the same Jury as in No. 17, who being
	Danl. E. Guerrant	}	Sworn and empannelled for their Verdict say they
			find the principal of the Bond declared on to be
			\$144.81, that there is no payment or set off, and
			assess the plaintiff damages for interest to \$21.14 –
			Judgment of the Court accordingly –

Civil	Wm.D. Bethell assign}	No. 23
Cases	Vs }	Payment & set off
Continued	Hervey Moore }	When comes to same Jury as in No. 17, who being Sworn and empannelled for their Verdict say they find the principal of the bond declared on to be \$150.45, that there is no payment or set off, and assess the plaintiff damages for Interest to \$5.71 – Judgment of the Court accordingly –
	Wm. D. Bethell assign}	No. 24
	Vs }	Payment & set off
	T.R. Alcorn }	When comes the same Jury as in No. 17, who being Sworn and empannelled, who for their Verdict say they find all issues in favor of the plaintiff, find the principal of the bond declared on to be \$400.00 that there is no payment or set off, and assess the plaintiff damages by way of interest to \$10.00 Judgment of the Court accordingly –
	Joseph Holderby & }	
	M.C. Holderby }	
	Alexr. Thompson }	No. 25
	Vs }	Payment & set off
	Henry Nance & }	When comes the same Jury as in No. 17, Who being Sworn and empannelled, for their Verdict say they find all issues in favor of the plaintiff, that the principal of the bond declared on to be \$568.25, that there is no payment or set off, and assess the plaintiff damages by way of Interest to \$22.26 – Judgment of the Court accordingly –
	Martin Grogan }	
	Wm. Haynes }	No. 26
	Vs }	Payment & set off
	C.J. Ragland }	When comes the same Jury as in No. 17, who being duly Sworn and empannelled, for their Verdict say they find all issues in favor of the plaintiff, that the principal of the bond declared on is \$125.00 that there is no payment or set off and assess the plaintiff damages by way of Interest to \$9.37 Judgment of the Court accordingly –
	T.A. Ragland }	
	Wm.D. Bethell assign}	No. 28
	Vs }	Payment & set off
	John W. Thomas }	When comes the same Jury as in No. 17, who being duly sworn and empannelled, for their Verdict say they find the principal of the bond declared on to be \$228.46 – that there is no payment or set off and assess the plaintiff damages for interest to \$8.63 – Judgment of the Court accordingly –
	Joseph Holderby }	
	M.C. Holderby }	

Civil **Danl. E. Guerrant** }
 Cases Vs }
 Continued **Hervy Moore** }
 Wm. S. Yors }

No. 29

When comes the same Jury as in No. 17 who being duly Sworn and empannelled for their say they find the balance of the principal of the bond declared on to be \$152.37, after deducting the endorsed payment of \$25.00, there is no further payment or set off & assess the plaintiff damages for interest to \$9.13 –

Judgment of the Court accordingly –

(?) **Reid Guardn** }
 Vs }
Q.T. Purcell }
George Purcell }
R.P. Richardson adm }
of David Barr }

Pleas Withdrawn

Judgment according to Specialty filed for the sum of \$309.65, of which sum \$307.35 is principal money

Spencer Kallam }
Winston Kallam Adm }
 Vs }
Horatio Kallam & }
Others }

Petition for settlement & distribution

In this Case **Horatio Kallam** having filed his separate answer, and **Walker Smith, Charles Smith, Washington Smith & Mary his wife, Robt. Scales & Ann his wife, James Davis & Edna his wife, and Thomas Smith** in their proper persons, and **Matilda Martin, William Martin, John Martin & Spencer Martin** Infants, by their Guardian **Richard Martin** having filed their answer, thereupon by consent of parties, It is ordered by the Court that the Clerk of this Court take an account of the Administration of the Estate of **William Kallam** decd by Spencer & Winston Kallam the administrators thereof, that he also take an account of the advancements made by **William Kallam** decd to his Children, the nature, Value and term of such advancement, It is further ordered by the Court that the Clerk have leave to examine either plaintiff or defendant upon interrogatories & that he report the next term of this Court.

It is ordered that service of Notice on plaintiffs and on **Horatio Kallam, Walker Smith & Richard Martin** on behalf of the defendants, shall be sufficient to take said account –

Civil **Caliborn W. Alverson}**
Cases Vs } Original Attachment
Continued **Charles D. Slaughter}** It appearing to the satisfaction of the Court
that the Above attachment was executed and served by
Garnisheeing **S.W. Laneir**, who upon his affidavit admits
that he owes the Defendant the sum of thirty five dollars,
which is condemned to the use of the plaintiff, and
summoning **John G. Watkins** as Garnishee who upon
affidavit admits that he owes the defendant twenty five
dollars which is also condemned to the use of the plaintiff,
and summoning **Alexander Carter** who upon his affidavit
admits that he owes the defendant the sum of twenty eight
dollars, which is condemned to the use of the plaintiff and
by summoning **A.W. Pool & C.** Who upon affidavit admit
that they are indebted to the defendant in the sum of sixteen
dollars & forty seven cents which is also condemned to the
use of the plaintiff, and the defendant failing to appear and
replevy or demur, It is considered by the Court that the
plaintiff have conditional Judgment for the sum of one
hundred & fifty one & 6/100 dollars subject to a credit of
seven or eight dollars due by apleirupsit, and that
advertisement be made in some public News paper for the
Defendant to appear at the next term of the Court and
replevy & plead, answer or demur to the same –

B.H. Carter }
Vs }
John N. Cobb}

Original attachment –

It appearing to the satisfaction of the Court that the
attachment in this case was services by summoning **M.C.
Holderby** as Garnishee, who upon affidavit admits that he
is indebted and was at the time the process was served, to
the defendant in the sum of forty five 90/100 dollars which
is condemned to the satisfaction of the plaintiff debt, It is
considered by the Court that the plaintiff recover
conditional Judgment for the sum of six hundred and forty
two 64/100 dollars, and that advertisement be made for six
weeks in some public News paper for the Defendant,
requiring him to appear at the next term of the Court,
replvy, answer, or demur or plead to the same –

A.A. Griffath }
Vs }
C.W. Blair }
John N. Cobb}
P.M. Guerrant}
V.M. Holderby}

Writ debt –

Discontinued as to **Blair, Cobb & Guerrant** –
Judgment by default final according to Specialty filed for
the sum of \$373.99 of which sum \$366.66 is principal
money –

Civil **Thos. J. Worsham**} Judgment by default final, according to Specialty
Cases **Vs** } filed for the sum of \$166.37 of which sum \$150.00
Continued Holderby & son} is Principal Money –

Thos. J. Worsham}	Judgment by default final according to Specialty
Vs	filed for the sum of \$331.85 of which sum \$300.00
Holderby & son}	is principal Money –

Presly Isley } Justices Execution levied on land –
Vs } Justices Judgment Confirmed and made the
William Isley } Judgment of this Court for the sum of \$91.00 with
Interest from the 26th of February 1857 & cost –
Ordered that Vendi tioni Exponas Issue –

Isaac King } Justices Execution levied on land –
Vs } Justices Judgment Confirmed and made the
Edward Apple} Judgment of this Court for the sum of \$40.00
Madison Apple} (subject to a credit of \$13.50) with interest from the
10th August 1854 –
Ordered that Venditioni Exponas Issue –

Reports	Elizabeth Hay	} Petition for years allowance
On	Ex Parte	} Report filed and Confirmed and Ordered to be
Petitions		enrolled and that the Administrator pay cost –
		State of North Carolina }
		Rockingham County }

We the undersigned commissioners appointed at the Feby Term of the Court 1856 to lay off the dower of **Elizabeth Hay** widow of the late **Phillip T. Hay** do certify that we have laid off the said **Elizabeth** the following Viz –

160 lb. Coffee, 300 lb of sugar, 20 lb of
Rice, 5 lb of pepper, 5 lb of Ginger, 25 Gallons
Molases, 40 Barrels of Corn, all the Wheat on hand,
1500 lb of Bacon, 2 sacks of salt, 5 lb of Tea, 40 lb
Cheese, 1 Barrel of fish, 5 lb of Mace, 5 lb of Spice,
5 lb of Cloves, 16 Gallons of Spirits 4 Oz Camphor,
all the lard on hand, \$5. for cinamon & Lemon, all
the Vinegar on hand \$50.00 for sundries
This 24th of March 1856 **Joseph Martin**}

Joseph Martin}
J.W. Martin }
David Kallam} Com
Winston Kallam}

Reports on	Elizabeth Allen }	Petition for Dower
Petitions	Vs	} Report filed and confirmed, and ordered to be
Continued	Ennis Allen & others }	enrolled and Registered – and that the admr. pay cost –
	State of North Carolina}	
	Rockingham County }	

I **Wm. R. Neal** D. Sheff of Rockingham County attended by the following Jury of good and lawful men Viz – **Robt. H. Scales, Wm. E. Walker, Jonathan Brown, A. Canady, N. Canady, D.L. Wright, Wm. Madkins, Jas. Combs, Wm. Canady, Larkin Thacker, James W. McCain, Thos. Butler**, who after being duly sworn according to Law, proceeded on the 10th day of March, in Obedience to the annexed Writ, to lay off, and allot to **Elizabeth Allen** her Dower and thirds in the lands of **Joseph Allen** deceased as described in said Writ, according to the following Meets & bounds Viz –

Beginning at a Hickory McCains Corner, then south with his line 48 poles to a black Oak in said line, then North 78 D. East – 120 poles to a black Oak, then North 36 D. East 30 poles to a Hickory, the North 65 D. East 117 poles to a black Oak, then North 36 D. East 47 poles to a White Oak, then North 28 poles to a Post Oak, then West 31 poles to a Maple then North 28 D. West 24 poles to a Post Oak, then North 70 D. West 22 poles to a Black Oak, then west 3 D. North 118 poles to a Gum bush in Simpsons line, then south 54 D. West 76 poles to a Stone, then South 25 D. West 39 poles to an Ironwood, then South 5 D. East 10 poles to an Ash, then south 50 D. East 70 poles to the first station, containing by Estimation 216 acres, and proceeded also to put her in possession of the same, given under the hands and seals of the said Jurors before me this 10th day of March 1857 -

	Wm. E. Walker	(seal)
Attest	James Combs	(seal)
Wm. R. Neal D.S.	Robt. H. Scales	(seal)
	Larkin Thacker	(seal)
	Wm. C. Madkins	(seal)
	Abraham Canady	(seal)
	Thos. H. Butler	(seal)
	Nathan Canady	(seal)
	Jonathan F. Brown	(seal)
	Jas. W. McCain	(seal)
	William Canady	(seal)
	David L. Wright	(seal)

Reports	Jane Young }	Petition for Dower
On Petitions	Vs }	Report filed and Confirmed and ordered to be
Continued	Margaret E. Young}	enrolled and Registered, and the Petitioner to pay
	By her Guardian}	cost –
	Noah M. Climer}	State of North Carolina, Rockingham County,

I **James Roberts** Sheriff of Rockingham, attended by the following Jury of good and lawful men to wit – **David L. Wright, John C. Rankin, Thompson Walker, Jacob Stallions, Danl. McCollum, P.R. Wharton, Pleasant Hopkins, Jesse Wharton, T.W. Pearson, John Moore. George Milloway & James A. Jones**, Who after being duly Sworn according to law, proceeded on the 16th day of May 1857, in Obedience to the annexed Writ, to lay off and allot to **Mrs. Jane Young** her Dower and thirds in the lands of **Joseph Young** deceased, as described in said Writ, according to the following Meets and bounds

Beginning at a Stone standing on the West side of the Road leading from Troublesome Hill to Ramsboro near Vandergrifts Bridge, thence West through the survey Crossing Benajah Creek 211 poles to a Hickory Saplin in the original line, thence along that line 122 poles to a White Oak stump on the West bank of Benajah Creek, thence East on W.G. Webbs line 75 poles to a Sweet Gum, thence south 13o East on said line 46 poles to two Post oaks on the East side of said Road, thence south on said line 47 poles to a Dogwood thence south 67o East in said line 42 poles to a black Oak, thence South 79o East Crossing Kenedys Creek 16 poles to a Poplar, thence North 35o East 33 ½ poles to a Stone, thence North 20o East 76 poles to a double Hickory in the original line, thence North 48o West crossing said Creek again 64 poles to the centre of the road aforesaid thence with said Road to the first Station and contains 227 acres land, and have proceeded to put said Widow in possession of the same, given under the hands and seals of said Jurors before me this 16th day of May 1857

	P. Hopkins	(seal)
	Jesse Wharton	(seal)
	John W. Moore	(seal)
	Thos. W. Pearson	(seal)
	George W. Milloway	(seal)
	Jas. A. Jones	(seal)
	D.L. Wright	(seal)
	John C. Rankin	(seal)
	Jacob Stallions	(seal)
	James L. Walker	(seal)
	Danl. McCollum	(seal)
	P.R. Wharton	(seal)

Test
J.D. Ellington D.S.

Reports	Adam Strader	}	Petition for Partition of land –
on Petitions	& Wife & others		Report filed and Confirmed and Ordered to be
Continued	Vs	}	enrolled & Registered and that the Administrator
	Sarah Humphreys		Pay cost –
	& others	}	Alexander McBride & Wife

No. 1 Beginning at a Post Oak Standing on the bank of the West fork of Jacobs Creek, thence East 72 poles to another Post Oak thence south $3/4$ East 32 poles to a white oak saplin, thence East 28 poles to pointers thence south 59 poles to a stone near some black haw bushes, thence West 98 poles to a White Oak on the bank of the long branch, thence down the meanders of the same to the Creek, and with the Creek to first Station, and contains 46 acres & 26 poles of land –

Joseph W. Gentry & Wife

No. 2 – Beginning at pointers at the letter B thence East Crossing the Mill Creek 56 poles to a Stone, thence south crossing said Creek 3 times 173 poles to some Dogwood bushes on the West side of the Mill Pond, thence West 56 poles to some sourwoods on the side of a steep hollow thence North $173 \frac{1}{2}$ poles to the first Station, and Contains 61 acres and 88 poles of land. –

Thomas Humphreys

No. 3 – Beginning at a Stone at the letter C thence East $44 \frac{1}{2}$ poles to another Stone, thence south $173 \frac{1}{2}$ poles to another stone, thence West Crossing the Mill Pond $44 \frac{1}{2}$ poles to some Dogwood bushes, thence North Crossing the Mill Creek 3 times $173 \frac{1}{2}$ poles to the first Station, & contains 48 acres & 36 poles of land –

William Hunphreys

No. 4 – Beginning at a Stone at the letter D, thence East $44 \frac{1}{2}$ poles to a Dogwood bush, thence south $173 \frac{1}{2}$ poles to a Stone and pointers, thence West $44 \frac{1}{2}$ poles to a Stone, thence North $173 \frac{1}{2}$ poles to the first Station & contains 48 acres & 36 poles of land –

James Humphreys

No. 5 – Beginning at a Dogwood bush at the letter E. thence East $47 \frac{1}{2}$ poles to a Post Oak, thence south 122 poles to a Post Oak, thence West $47 \frac{1}{2}$ poles to a Stone, thence North 122 poles to the first Station and contains 36 acres & 35 poles of land –

**Reports on
Petitions
Continued**

Harriett Humphreys

No. 6 – Beginning at a Stone near of some black haw bushes at the letter F. thence south 70 poles to a Hickory, thence West 97 poles to a Maple on the bank of the long branch, thence down the Meanders of the same to a white Oak the corner of No. 1 thence East 98 poles to the first Station and Contains 46 acres and 26 poles of land –

Rebecca Humphreys

No. 7 Beginning at a Hickory at the letter G. thence 70 poles to a Post Oak bush at the letter H. thence West 112 poles to a Hickory Saplin on the West side of the long branch thence North 18 poles to a White Oak, thence East 2 ½ poles to a black Gum, thence down the Meanders of the said branch to a Maple, thence East 97 poles to the first Station and Contains 45 ½ acres of land –

Sarah Humphreys

No. 8 – Beginning at a Post Oak bush the corner of No. 7 at the letter H. thence south 70 poles to a Chesnut Bush, thence West 112 poles to a forked Chesnut, thence North 70 poles to a Hickory Saplin, thence East 112 poles to the first Station, and Contains 49 acres of land.

Samuel Humphreys

No. 9. Beginning at a Post Oak at the letter J, thence south 76 poles to pointers, thence West 22 poles to a Chesnut, thence south 78 poles to a chesnut, thence East 52 poles to a chesnut, thence North 118 poles to pointers, thence East 22 poles to a White Oak thence North 40 poles to a sourwood, thence West to the first Station and Contains 45 acres of land –

William McCollum & Wife

No. 10 – Beginning at a Chesnut bush at the letter I. thence West 30 poles to a sourwood, thence south 40 poles to a White Oak, thence East 56 poles to a Black oak, thence North 142 poles to a Spanish Oak, thence West 28 poles to a sourwood near a Steep Hollow, thence South to the first Station, and Contains 42 acres and 56 poles of land –

**Reports on
Petitions
Continued**

Richard Humphreys

No. 11 - Beginning at a Spanish Oak at the letter K. thence East Crossing the Mill pond 118 poles to a Stone, thence South Crossing a branch 77 poles to a Chesnut Saplin on a Steep hill side, thence West crossing the Mill Creek 118 poles to a Spanish Oak bush, thence North 77 poles to the first Station and contains 56 acres & 126 poles of land.

Adam Strader & Wife

No. 12 - Beginning at a Spanish Oak bush at the letter L. Thence East crossing the Mill Creek and one branch 118 poles to a Chesnut on a Steep hill side, thence South 65 poles to a Poplar Stump in a branch **Isaac Bason's** Corner, thence West Crossing the Mill Creek again 118 poles to a Black Oak, thence 65 poles to the first Station, and contains 48 acres of land -

No.1	To Alexr McBride & wife	46 26/160 acres	Valued at \$6.00	\$277.56
" 2	" Joseph W. Gentry & wife	61 88/160	" " " \$3.50	\$216.58
" 3	" Thomas Humphreys	48 36/160	" " " \$4.00	\$193.44
" 4	" William Humphreys	48 36/160	" " " \$4.00	\$193.44
" 5	" James Humphreys	36 35/160	" " " \$5.00	\$181.75
" 6	" Harriett Humphreys	46 26/160	" " " \$6.00	\$277.56
" 7	" Rebecca Humphreys	45 1/2	" " " \$6.00	\$273.00
" 8	" Sarah Humphreys	49	" " " \$4.00	\$196.00
" 9	" Samuel Humphreys	45	" " " \$2.00	\$ 90.00
" 10	" Wm. McCollum & wife	42 56/160	" " " \$2.00	\$ 85.12
" 11	" Richard Humphreys	56 126/160	" " " \$2.00	\$113.55
" 12	" Adam Strader & Wife	48	" " " \$4.00	\$192.00
Divided by 12				\$2290.00
Average per Share				\$190.83 1/3
No. 1 -	Alexr. McBride & Wife, Value in land	\$277.56		
	Pays to Wm. McCollum & wife	86.72 2/3		\$190.83 1/3
No. 2 -	Joseph W. Gentry & Wife, Value in land	\$216.58		
	Pays to James Humphreys	\$6.76		
	Pays to Wm. McCollum & wife	18.98 2/3 25.74 2/3		\$190.83 1/3
No. 3	Thomas Humphreys Value in land	\$193.44		
	Pays to James Humphreys	\$2.32 1/2		
	Pays to Saml Humphreys	.28 1/2 2.60 2/3		\$190.83 1/3
No. 4	William Humphreys Value in land	\$193.46		
	Pays to Saml Humphreys	2.60 2/3		\$190.83 1/3
No. 5	James Humphreys Value in land	\$181.75		
	Receiving in Cash	9.08 1/3		\$190.83 1/3

Reports No. 6 – Harriet Humphreys	Value in land	\$277.56	
On Petitions Pays to Saml Humphreys		<u>86.72 2/3</u>	\$190.83 1/3
Continued No. 7 – Rebecca Humphreys	Value in land	\$273.00	
	Pays to Saml Humphreys	11.21 2/3	
	Pays to Richard Humphreys	<u>70.95 82.16 2/3</u>	\$190.83 1/3
No. 8 – Sarah Humphreys	Value in land	\$196.00	
	Pays to Richard Humphreys	<u>5.16 2/3</u>	\$190.83 1/3
No. 9 – Samuel Humphreys	Value in land	\$90.00	
	Receives in Cash	<u>100.83 1/3</u>	\$190.83 1/3
No. 10 – Wm. McCollum & Wife	Value in land	\$85.12	
	Receives in Cash	<u>105.71 2/3</u>	\$190.83 1/3
No. 11 – Richard Humphreys	Value in land	\$113.55	
	Receives in cash	<u>77.28 1/3</u>	\$190.83 1/3
No. 12 – Adam Strader & Wife	Value in land	\$192.00	
	Pays to Richard Humphreys	<u>1.16 2/3</u>	\$190.83 1/3
	Proof		\$2290.00

State of North Carolina }
 Rockingham County }

We the undersigned being appointed by the Court of Pleas and Quarter Session for the County aforesaid, Commissioners, at November Term 1856, to make partition of the real Estate of **Henry Humphreys** decd between the several Claimants Mentioned in the Order of the Court aforesaid, Which after being duly sworn according to law, We proceeded to divide and appropriate the lands described in said order, agreeable to the foregoing form and Manner as described and set forth in the foregoing Platts, Numbering from 1 to 12. Given under our hands and seals this 16th day of February 1857

Ulysses Hand (seal)
John W.S. Lowe (seal)
Isaac Bason (seal)
Abel L. Williams (seal)

Hubbard Wilson}

& others }

Ex Parte }

Petition to Sell Slaves

Report filed and Confirmed & ordered to be enrolled, and Administrator to pay cost –

In Obedience to an order of the County Court at February Term 1857 directing me to sell the Slave **Harry** belonging to the Estate of **Elijah Wilson**, I proceeded on the 25th day of March after due advertisement to sell said Slave **Harry** to the highest bidder on Credit of six months, when & where **Wm. Noles Jr.** became the last & highest bidder at the sum of three hundred & sixty dollars who complied with the terms of sale by entering into bond with satisfactory security all of which is respectfully submitted
 May Term 1857 – **Robt. W. Scales** Com & Adm

Reports on Petitions Continued **Thomas C. Meadors & others** } Petition to sell Slaves
 } Report filed & confirmed and ordered to be
 } enrolled and the Executor to pay cost.
 See Genl. Sale list, Inventory Book H. Page 205

Sarah Whitsett } Petition for Dower –
Vs } Report filed and Confirmed and ordered to be Enrolled
Jas. G. Whitsett & others } and Registered and that the administrator pay cost –
 } State of North Carolina}
 } Rockingham County }

I **James Roberts** Sheriff of Rockingham County, attended by the following Jury of good & lawful men, **Smith Moore, Alfred Reid, Wm. Newel, Wm. Scott, Wm. P. Williams, F.W. Watson, Pleasant Hopkins, R.G. Coe, John W. Moore, Frederick Miller, Robt. Williams, N.G. Dabbs**, after being duly sworn according to law, proceeded on the 23rd day of March 1857 in Obedience to the annexed Writ to lay off and allot to **Sarah G. Whitsett** her dower and thirds in the lands of **Alfred M. Whitsett** decd. as described in said Writ, according to the following Meets and bounds – Beginning at a Post Oak in the original line, South 188 ½ poles to a Spanish Oak – East 32 poles to a Black Oak, thence South 63 poles to a Hickory Saplin, East 20 poles to a black gum saplin, South 206 poles to a Grub on the bank of Haw River, thence up the Meanders of said River to the Corner of lot No. 5: thence North along the line of No. 5 – 294 poles to a White Oak, thence West along the line of No. 5 – 88 poles to pointers, on a ledge of Rocks, thence North Crossing the Danville Road 216 poles to a Sourwood in Blackburns line thence East along that line 10 poles to a Post Oak, thence North 104 poles to a Stake in the field, thence East through the survey crossing two branches Troublesome Creek 208 poles to a White Oak Saplin in the Original line, thence south to the beginning and contains 753 acres of land and proceeded to put her in possession of the same –

Given under our hands and seals this 23rd day of
 March 1857

Test

Jas. Roberts Sheriff

P. Hopkins

Robt. G. Coe

John W. Moore

Frederick (X) Miller

R.T. Williams

N.G. Dabbs

Smith Moore

Alfred Reid

Wm. Newell

Wm. Scott

Wm. P. Williams

F.W. Watson

**Reports
on Petitions
Continued**

Sarah Whitsett &} Petition to divide slaves –
others } Report filed and Confirmed and ordered to be
Ex Parte } Enrolled and Registered, & adm. pay the Cost –

State of North Carolina}
 Rockingham County }

In Obedience to a decree from the County Court of
 aforesaid County founded on a Petition filed at February Term 1857
 by **Sarah Whitsett** Widow of **Alfred M. Whitsett** decd and **James T.
 Whitsett** by his Guardian **Hugh L. Patrick**, and **Alfred M. Whitsett &
 Sarah J. Whitsett** by their Guardian **Obadiah McMichael** appointing the
 undersigned Commissioners to Value, divide and allot the Slaves
 belonging to the Estate of **Alfred M. Whitsett** decd between the aforesaid
 Legatees, as near equal as we can, We did after being duly sworn, proceed
 to Value, divide, and allot the aforesaid Slaves as follows Viz –

Jim Valued at	\$900.00	Polly & her Infant Andy	\$950.00
Ann & her Infant Isabella	800.00	Martha Valued at	800.00
Dick Valued at	700.00	Dave Valued at	900.00
Caroline Valued at	625.00	Henry Valued at	<u>250.00</u>
Demarias Valued at	400.00	In all 35 Slaves Whole Value	\$19280.00
Margaret Valued at	350.00	Four Legatees each	\$4820.00
Matilda Valued at	200.00		
Amos Valued at	750.00	Lot No. 1 to Sarah Whitsett Viz	
Frances Valued at	200.00	Jim Valued at	\$900.00
Alexander Valued at	5.00	Ann & her Infant Isabella	800.00
Albert Valued at	1100.00	Dick Valued at	700.00
Beck & her Infant Harriet	1000.00	Caroline Valued at	625.00
Rose & her Infant Granville	750.00	Demarias Valued at	400.00
George Valued at	200.00	Margaret Valued at	350.00
Levi Valued at	625.00	Amos Valued at	750.00
John Valued at	400.00	Frances Values at	200.00
William Valued at	700.00	Alexander Valued at	5.00
Martin Valued at	1000.00	Matilda Valued at	<u>200.00</u>
Mary & her Infant Permetia	1000.00	amounting to	\$4930.00
Emily Valued at	800.00	amount over her portion	<u>110.00</u>
Moses Valued at	575.00	Her share	\$4820.00
Julius Valued at	400.00		
Ransom Valued at	850.00		
Isaack Valued at	1050.00		
Ady & her Infant Lucinda	1000.00		

continued on next page

Reports on Petitions Continued

Lot No. 2 – To James T. Whitsett

Albert Valued at	\$1100.00
Beck & her Infant Harriet	1000.00
Rose & her infant Granville	750.00
George Valued at	200.00
Levi Valued at	625.00
William Valued at	700.00
John Valued at	<u>400.00</u>
Making	\$4775.00

Sarah Whitsett Widow
has to pay to **Jas. T. Whitsett** 45.00
Making his share \$4820.00

Lot No. 3, To Alfred M. Whitsett

Martin Valued at	\$1000.00
Mary & her Infant Permatia	1000.00
Emily Valued at	800.00
Moses Valued at	575.00
Julius Valued at	400.00
Ransom Valued at	850.00
Henry Valued at	<u>250.00</u>
Making	\$4875.00
Amount over his Portion	<u>55.00</u>
Making his share	\$4820.00

Lot No. 4, To Sarah J. Whitsett

Isaac Valued at	\$1050.00
Ady & her Infant Lucinda	1000.00
Polly & her Infant Andy	950.00
Martha Valued at	800.00
Dave Valued at	<u>900.00</u>
Making	\$4700.00

Sarah Whitsett Widow has to }
pay to **Sarah J. Whitsett** } 65.00
Alfred M. Whitsett has to }
pay to **Sarah J. Whitsett** } 55.00
Making her share \$4820.00

All of which is respectfully submitted this
2nd day of March 1857

Saml. F. Adams (seal) }
F.W. Watson (seal) } Coms
John Winchester (seal) }

Sarah Whitsett} Petition for years allowance

Ex Parte } Report filed and Confirmed and ordered to be Enrolled –
State of North Carolina }
Rockingham County } March 2nd A.D. 1857 –

In Obedience to an order made by the Hon. Court of February
Term 1857 We **Pleasant Hopkins, Robt. Brown, Robert Williams Esq.** came
appointed to lay off one years provisions for the Widow **Sarah Whitsett** relat. of **Alfred
M. Whitsett** deed do make the following allowance for her years Dowry of provisions as
follows to wit All the corn on hand, 100 bushels of Wheat, 2 Stacks of sheaf Oats & 100
bushels of Shelled oats, 11 loom, 10 Choice stacks of blade fodder, all the shucks, Hay &
wheat straw on hand, 1700 lb of Bacon, 2 Choice Cattle for Beef, 1 Choice Milk Cow,
150 lb Lard, all the Wool Rolls on hand, suppose 10 or 12 lbs, all the raw cotton on hand
suppose 5 or 6 lbs, 1 Bed & the Necessary furniture, 1 Wheel, 1 pair Cards, We further
allow the Widow **Sarah Whitsett** the Sum of \$200.00 for Contingencies – All of which
is respectfully submitted, Given under our hands and seals this 2nd day of March 1857

Robt. Brown (seal) **Robt. T. Williams** (seal)
Wm. Scott (seal) **P. Hopkins** (seal)

**Reports on
Petitions
Continued**

Rebecca Roper}

Ex Parte } Petition for years allowance –

Report filed & Confirmed & ordered to be Enrolled

We the undersigned in pursuance of an order of the County Court of Rockingham Feby Term 1857 for the appointment of Commissioners to View the Estate of **Charles Roper** decd and to allot & set apart to his Widow **Rebecca Roper** so much of the stock, crop, and provisions belonging thereto, as might be adequate to the support of herself and family for one year, and if there should not be a sufficiency on hand to afford such an allowance then to assess the deficiency in money, beg leave to submit the following report,

We have allowed **Mrs. Roper** 25 Barrels of corn, 30 Bushels of Wheat, 600 lb of Bacon, 75 lb of Lard, all the soap on hand, 1 sack of salt, 100 lb of Coffee, 200 lbs of sugar, 5 Gallons of Molasses, all the tallow on hand, the use of one cow & calf for one year, 1 lb pepper, 1 lb Ginger, 1 lb Allspice, 4 lb Soda, 1 stack of Fodder, 1 Bed & Necessary furniture, 1 Wheel, 1 Pair of Cards, and 1 Loom,

Signed and sealed by us this the 21st day of March 1857

John G. Robertson (seal)

Edwd. T. Brodnax (seal)

J.A. Ratliff (seal)

John F. Coble}

Ex Parte } Petition for Writ of Lunacy – Writ Issued –

The Sheriff having returned the Writ of Lunacy ordered in this case, “Executed” also the Verdict of the Jury of inquest – Who find **Jacob Coble** to be “Lunatic”

It is ordered by the Court that the inquest and Verdict be recorded and the Court doth adjudge and consider that the said **Jacob Coble** is a Lunatic, and incapable of managing his affairs – State of North Carolina }
Rockingham County }

We the undersigned Jury being empannelled and sworn to inquire into the state of mind of **Jacob Coble**, after having the said **Jacob Coble** before us, and examining witnesses who have known the said **Jacob** for many years for our Verdict say we find the said **Jacob Coble** to be “Lunatic” that his incapacity as are from

the kick of a Horse when he was quite young.

Given under our hands and seals, this 25th day of May 1857

J.Q. Montgomery	(seal)	Ebenezer (X) Carter	(seal)
P.H. Price	(seal)	John Blackwell	(seal)
Thos. Blackwell	(seal)	Josiah F. Taylor	(seal)
B.G. Pool	(seal)	John G. Watkins	(seal)
J.H. Hall	(seal)	Henry Johnson	(seal)
E. Wheeler	(seal)	A.S. Flack	(seal)

Test

J. Roberts Sheff --

Petitions

Filed

Ludwick W. Summers }

Ex Parte } Petition to sell Slaves --

This case coming on to be heard upon the Petition, It is ordered by the Court that the Petitioner proceed to sell the Slaves Mentioned in the Petition upon a credit of six months, that he take bonds payable to himself with approved security, and report to the next term of this Court --

Anna Pearson }

Ex Parte } Petition for years allowance

This case coming on to be heard upon the reading of the Petition and Statement of Counsel, It is ordered by the Court that the prayer of the Petitioner be granted, and that **A.G. Walker** a Justice of the Peace & **Dr. Jas. W. McCain, William Walker & E.S. Morris** be appointed to View the Stock crop and provisions on hand and to lay off, allot & assess the Petitioner one years support for herself and family, and if there is a deficiency in the stock crop and provision on hand then to allot to her any other species of personal property, Money or debts due etc. and report to the next term of this Court --

- Roads No. 2 - **Wm. M. Manly** is appointed Overseer of the Road from Ruffins Barn to **E.P. Palmers** with the following hands to wit – **A.P. Robertson, D.W. Courts** hands, **Saml. B. Cobb** & hands, **Saml. Adcocks** hands, **Joseph Smith, Wm. R. Jones, A. Jones** & **Saml. F. Jones**
- No. 4 - **Thomas Molloy** is appointed Overseer of the Road from Caswell County line to **E.P. Jones** Old factory, with the following hands to wit – **Joseph Benton, Mrs. Bentons** hands, **Miller Nunn, Saml. Cornwalls** hands, **Anthony Benton** & hands, **D. Walker, J. Armfield, John Chambers, John Sawyer** & hands & **Dr. G.P. Bails** hands –
- No. 8 - **B.Y. Brimfield** is appointed Overseer of the Road from Caswell line, to Robertsons Branch, with the following hands to wit – **Henry Brannocks** hands, **Green Brannock, William Slades** hands, **B.T. Williamson, John W. Duncan, Ennis Allen, Elizabeth Allens** hand, **Hubbard Brown** & **Thompson Brimfield** –
- No. 10-**Hubbard Williams Jr.** is appointed Overseer of the Road from **Judge Settles** Old Store House to the Danville Road, with the following hands to wit - **Gardiner Williams, Edward Noles, Wm. Noles, Wiley Noles, Robt. Allen, Thomas Carter, John Williams, Sylvester Newnam, Jackson Wray, Jas. E. Noles, Thomas Chambers, H.K. Reid** & hands, **John Guthry, Wm. G. Williams** & **Rufus Manly** –
- No. 13 – **James A. Jones** is appointed Overseer of the Road from Troublesome Bridge to Adkins' branch, with the following hands to wit – **Henry Warren, Widow Mateers** hands, **Andrew Mateers** hands, **David Huffines, Wm. Huffines, John Richardson, Alexr Green, Milton Climer** & hands, **George Martin, Monroe Flack, John Rankin** & hands, **Fountain Foulks, James Richardson, Noble Harrell, L.C. Huffines** & **Elijah Scott** –
- No.23- **Wilson D. Moore** is appointed Overseer of the Road from **Wm. Adkins** branch to **Thos. L. Sharps** Old place, with the following hands to wit – **James Lucas'** hands, **Robt. Walker Jr.** hands, **Dr. Hugh L. Patricks** hands, **Wm. Newel, J.P. Coe, Wm. A.J. Cody, R.L. Moore** & hands, **Hugh Moore** & **William Rich** –
- No.25- **George Setliff** is appointed Overseer of the Road from Carmell Meeting House to Halls Old field, with the following hands to wit – **John Miller, Joseph Mitchell, David Gibb, Martin Durham, Alexr. Setliff, John Jones, Daniel Setliff, Robt. Stone, Jas. Bennett** & **James W.M. McDaniels** hands –

- Roads** No. 26- **James C. Bennett** is appointed Overseer of the Road from the Cross
Continued Roads at **Nathan Wrights** old place to **E.P. Palmers**, with the following
hands to wit – **John Irvin, Martin Barnes, Abram Walker, A.T. Walker,**
Robert Allen, B.H. Smith, John W. Miller, William Smiths hands, Charles
Matlocks hands & Marcus C. Holderbys hands –
- No. 27- **John Weadon** is appointed Overseer of the Road from the forks below
Carmell Meeting House, to Wolf Island Meeting House, with the following
hands to wit – **Robert Smith, Wm. Weadon, George Evans, Zach Barber,**
Thomas Carroll, James Wall, James Stevens, William Stevens, John F.
Jarrett, E.P. Palmers (10) hands, James Scarlett & Wm. Stone –
- No. 28 – **William Hutson** is appointed Overseer of the Road from **Mrs.**
Moreheads old place to the forks West of Carmell Meeting House with the
following hands to wit – **Dr. E.T. Brodnaxs hands at his lower plantation,**
John G. Rainys hands, Widow Walls hands, Pinckney J. Coram, Wm.
Coram, John Chilton, Jackson Cannon, George Wright, Henry Wright,
Abraham Wall, Wm. Humphreys, Elliott Humphreys, Nicholas Lyon, Albert
Lyon, David Atkins, & Nicholas Atkins –
- No. 33 – **John Barber Jr.** is appointed Overseer of the Road from **R.A. Ellingtons**
to the Creek in Wares lane, with the following hands to wit – **Daniel P.**
Ellington, D.S. Reids hands, S.G. Ware two hands, Mrs. Martins 1 hand, &
R.A. Ellington 2 hands –
- No. 36 – **George W. Pursell** is appointed Overseer of the Road from Rockhouse
Creek to the forks near **Joseph Kings** old place, with the following hands to wit
– **David Pursell & 1 hand, Hamilton G. Pursell, Ozias Wilson, Cosby D.**
Baker, Pinckney Miller, Joseph Allen, Richard Garner & Joel Carter –
- No. 39 – **B.S. Roberts** is appointed Overseer of the Road from Matrimony Creek
to Grassy Spring, with the following hands to wit – **James Dillards hands,**
Charles Hamlins hands, Grief B. Wades hands & James Roberts –
- No. 42 – **Robert Hall** is appointed Overseer of the Road from the Mayo ford to the
forks near Madison, with the following hands to wit – **Mrs. E.M. Cardwell 1**
hand, Wm. Lindsey 1 hand, T.S. Black 1 hand, M.A. Black & hands, J.M. Cox,
John Joyce, J.M. Crowder, Wm. B. Carters hands, R.H. Gladsons hands,
Miss M.S. Gallaways hands, John Hinds, Harrison Powers, Thomas Vaden,
T.F.M. Coyles hand, & Jas. Irvins hands –
- No. 43 – **John McGibony** is appointed Overseer of the Road from the County line
Crossing Moores Bridge, to Blackburns Path, with the following hands to wit –
John Winchesters hands, Lettitia Winchesters hands, John Winchester, S.
Dilworth, John Moore, Martin Gant, John Griffin, James Dye & his own
hands –

Roads No. 51 – Turner Wall is appointed Overseer of the Road from Roaches Mill to the top of Whetstone Hill, with the following hands to wit – **Thomas Roach & hands, Mrs. Ann Roachs hands, Alfred Saunders & hands, James Lovins, Alfred Cobb, John Shreive son of David, James Saunders, R.P. Jones, Josiah McCoy, Smith Overby, Richard Cobb & Jackson Cobb –**

No.51 ½ - **T.W. Patterson** is appointed Overseer of the Road from the top of Whetstone Hill, to the forks near Wrights Factory, with the following hands to wit – **John Blair, Wm. Blair, John Shreive, Thomas Scruggs, Alfred Wall, Jackson Baily, Jesse Baily, W.B. Johnson, Walter Stephens, James Stephens, John Baily, Reuben Baily, & James Baily –**

No. 54 – **William Herbin** is appointed Overseer of the Road from Rosses Cross Roads, to the Guilford line, with the following hands to wit – **Reubin Oliver, James Simpson, Daniel T. Deans, H. Brisendine, Eli Friddle, James Goolsby, Washington Brown, William & his own hands –**

No. 55 – **John M. Climer** is appointed Overseer of the road from Troublesome Hill, to the Guilford line, with the following hands to wit – **Mrs. Jane Youngs hands, Wm. Webbs hands, Jesse Whartons hands, Saml. Peeler, Nicholas Brann, Vincent Brann, James Marcelliott, Thomas W. Climer, Martin Webb, D. Hopkins, John Dempsey, Saml. Randolph & Martin P. Hopkins –**

No. 58 – **Henry Carter** is appointed Overseer of the road from **Mrs Sims' to James Lemonds'** with the following hands to wit – **Charles Fagg, Wm. Fagg, James Carter, Z.P. Sneed, James Sneed, P.D. Joyce, Nib Roberts, John Carter, Jas. Tally, Elizabeth Bowlins hand, John Joyces hands, Wm. H. Price's hands, Jas. Lemonds' hands & Abner Craddock –**

No. 59 – **N.G. Dabbs** is appointed Overseer of the Road from Iron works Mill Race to Braswells Path, with the following hands to wit – **Mrs. Sarah Whitsetts hands, John Lemonds, Edwin Rogers, Rub. Hamlet, Claiborn Johnson, Blackburns hands, J.T. Moreheads hands, James S. Moore, John Griffin, Levi Shaws hands, Richard Allen, John Moore, John Carter, Pinckney Wall, Isaac King, Martin Gant, Henry J. Truit, Robert Small, Robert Moore & Hugh Moore -**

Roads No. 70 – George Wilson is appointed Overseer of the Road from **Jane Saunders'** Old place, to the X Roads near **Joseph Kings** Old place, with the following hands to wit – **Abel L. Williams** 2 hands, **David C. Shreive**, **James McCollum Jr.**, **John Carter**, **Thomas Carter** 2 hands & **James S. Shreive** –

No.66 – **Pinckney Ramsey** is appointed Overseer of the Road from Fair Grove Meeting House to Cunninghams Bridge on Haw River, thence to the County line near Vaughns old place, with the following hands to wit – **Benjamin Dilworth** & hands, **John Work**, **George Milloway**, **Wm. McBride**, **Milton Cunninghams** hands, **Robert Small**, **John Richardson**, **John C. Rankin** & hands, & **John Moore**

No. 71 – **James Evans** is appointed Overseer of the Road from Hanbys ford Road, to the Road leading from Wentworth, to **Henry C.H.** at **Henry Barnes'** with the following hands to wit – **Drury Smiths** hands, **Henry Claybrooks** hands, **Lemuel Vernons** hands, **Saml. Smith**, **Thos. H. Joyce's** hands, **Starlin Moore**, **Quinston Price**, **Green Craddock**, **John Joyces** hands, **Robert Joyce**, **Joseph Joyce**, **Pleasant Martin**, **John Rickman**, **Frank Smith**, **Wesley Claybrook**, **Lewis Martin**, **Peter Rickman**, **Wm. Carter**, **Frank Sharp**, **Joseph Farmer**, **Dillon Joyces** hands & **Andrew Gibson** –

No. 77 – **George W. Martin** is appointed Overseer of the Road from **Ella Smiths** X Roads to Rocky Springs, with the following hands to wit – **Charles R. Smiths** hands, **James Roberts'** hands, **T.J. Tucker**, **Jas. O. Southern**, **Wm. F. Southern**, **W.J. Webster**, **John Tucker**, **John Tony**, **J.M.C. Angel** & **John White** & hands –

No. 79 – **William Madkins** is appointed Overseer of the Road from Robertsons branch, to the Guilford line, with the following hands to wit – **F.L. Simpsons** hands, **Nicholas Brann Jr.**, **Wm. Terrell**, **Edward White**, **Edward Watlington**, **John Gwyn**, **Abner Thacker Srs.** hands, **Abner Thacker Jr.** & **William Troxler** –

No. 81 – **George Q. Waggoner** is appointed Overseer of the Road from Yorks old place, to the Guilford line, with the following hands to wit – **Thomas Thomas**, **Benjamin Thomas**, **Adam A. Troxler**, **Calvin Troxler**, **Wm. F. Oak**, **E.G. Southard**, **Jesse Thomas**, **Madison Troxler**, **Wm. T. Stone**, **William C. Simpson**, **Robert Simpson** & ? **Apple** –

Roads No. 83 – Dr. Robert Gallaway is appointed Overseer of the road from the Camp Ground, to the creek near **Mrs. Cardwells**, with the following hands to wit – **Jas. L. Cardwells** hands, **Mrs. Maria Cardwells** hands, **N. Daltons** hands, **Thos. D. Rosebroughs** hands, **Michael Power**, **Jacob A. Berry**, **John Gibson**, **Robt. Thomas**, **Wm.T. Scales** hands, **Wm. Southard**, **George Stewart** & his own hands –

No.84 – **James Fitzgerald** is appointed Overseer of the road from the fork of the Creek at **John Jones** to the X Roads at **A.M. Bethells** old place, with the following hands to wit – **Wm. R. Neal** 2 hands, **John Montgomery** 2 hands, **Joseph Chambers**, **Ann Jones'** hand, **Jackson Jones** 2 hands, **Thornton Lynn**, **Thomas Chambers**, **George Moore**, **Joseph Petigrew**, **Lemuel Petigrew**, **Frank Petigrew** & **William Stanly** -

No. 90 – **B.F. Carter** is appointed Overseer of the road from the fork beyond Spring Garden, to the Leaksville Road, with the following hands to wit – **John Roberts**, **John Loudin**, **Wm. Lovelace**, **John Lovelace**, **Charles Black**, **John Stones** hands & **Thomas Lewis** –

No. 92 – **Valentine Allen** is appointed Overseer of the Road from the Island ford on Dan River to Spring Garden with the following hands to wit – his own hands, **Joseph H. Cardwells** hands, **James M. Scales'** hands, **John L. Leseurs** hands, **Mrs. Timberlakes** hands & **Nathaniel Allens** hands at his fathers Old place –

No. 97 – **James Moore** is appointed Overseer of the Road from Jacksons Machine branch to Town Creek, with the following hands to wit – **Francis B. Moores** hands, **Wm. Burton** & hands, **James M. Moores** hands & **George Wells'** hands (**Burton & Moores** hands taken from the other road)

No. 110 – **John Klapp** is appointed is appointed Overseer of the Road from Rocky Springs to the Guilford line, with the following hands to wit – **Milton Angel**, **Finly Bullock**, **Joseph May**, **Wm. Thomas**, **Wm. Calhoun**, **Bryant Knott**, **John Purdew**, **Wm. Pearse**, **Danl. Perrys** hands, **Jones Cain** & **Jacob Huffman** –

No. 114 – **John Knott** is appointed Overseer of the road from Edwards' Store to Wrights X Roads with the followihg hands to wit – **Thomas Thompsons** hands, & hands **N. Thompsonville**

Roads William Pearsons hands, Robert Gwyn, Thomas W. Pearson, E.
Continued Wheelers hands, S.S.B. Smiths hands, Thomas Burton, Thomas Upton
 Jackson Oakley, George Martin & A.J. Chance –

No. 116 – **James M. Gunn** is appointed Overseer of the Road from Bold Run, to
 Wentworth, with the following hands to wit – **J.D. Ellingtons** hands,
R.M. Napier 2 hands, **James C. Williams** & hands, **Wm. Kings** hands,
Samuel M. King, **B.J. Law**, **Chandler Harell**, **Tandy King**, **Andrew**
Phillips, **Alfred Phillips**, **Jas. G. Sims**, **Wm. Williams**, **Jas. Foster**,
James Harrison & **Theophilus Carroll** –

No. 121 – **John Heggie** is appointed Overseer of the Road from **Thomas Smiths**
 Old place to the Road leading from Madison to Leaksville, with the
 following hands to wit – his own hands, **Wm M. Heggies** hands, the
Widow Lewellins hands, **Joshua F. Smiths** hands, **Richard Baughn**,
Millner Baughn, **James Heggie**, **Robert Baughn**, **Thos. Heggie**, **John**
Baughn, **Saml. Lewellin**, **James Lewellin**, **Haywood Smith**, **Saml.**
Heggie, **Wm. Baughn**, **J.J. Pool**, **James Heggies** hands & **A.A. Baughn**
 –

No. 122 – **John Smith** is appointed Overseer of the Road from Hanbys ford to th
 Virginia line, with the following hands, to wit – **Gustavus A. Smith**,
Patrick Price, **Nathaniel Rhodes**, **Joseph S. Smith**, **James C. Smith**,
Frank Kallam, **Allen Kallam**, **John W. Boccock**, **Andrew Gibson**, **Peter**
Rickman, **Thomas Smith**, & **Marion Evans** -

No. 124 – **John A. Price** is appointed Overseer of the Road from Hendersons for
 to **Mrs. Hays** fork, with the following hands to wit – **Fleming Goolsby** 2
 hands, **Thomas Price**, **Peter Oliver**, **Wm. H. Moxley**, **Peter D. Price**,
Fenner Wilson Jr. & **Joseph Newnam** –

No. 125 - **Matthew T. Sparks** is appointed Overseer of the Road from the fork
 above Carmell to the fork at Armstrongs Clearing with the following
 hands to wit – **Henry Miller**, **Robt. Miller**, **John Ellington**, **James H.**
Jeffreys, **James W. Hutson** & **James Miller** –

No. 126 – **Joshua Strader** is appointed Overseer of the Road from New Bethell
 to the X Roads Roads near **Joseph Kings** Old place with the following
 hands to wit – **George Sharp Jr.**, **David Molloy**, **George Coleman**, **Wm**
Pearman, **John Pearman**, **John Thomas**, **Alanson Masseys** hands,
James Banes & **George Johns** -

- Roads No. 129 – Sidney G. Ware** is appointed Overseer of the Road from the Creek
Continued in Wares lane, to the forks near **Elizabeth Ellingtons** with the following
hands to wit – his own hands, **Rawly Baker, Jof. Baker, Abram Baker,**
John Gunns hands, **Nathl Carroll, Rawley Carroll & Wash Carroll –**
- No. 130 – **Green B. Burton** is appointed Overseer of the Road from **H.C. Fullers**
to the X Roads near **Joseph Kings** Old place with the following hands to
wit – **Yancy H. Carter & hands, Edward P. Lester, Matthew Burton,**
Geo. W. Pursell & hand, John B. Lucas, Robert Brown 2 hands, John
Rain, Thomas Vincent, Thomas Griffin & Robert Griffin –
- No. 133 – **Richard Abbott** is appointed Overseer of the Road from Eagle Falls to
the forks near Smothers old Cabin, with the following hands to wit – **Mrs.**
Gallaways & Mrs. Carters hands at Eagle Falls –
- No. 134 – **Jones W. Burton** is appointed Overseer of the road from the Factory to
Island ford on Smith River, thence through Leaksville to Matrimony
Creek, including the Street in Leaksville from Burtons Store to **Wm. R.**
Strongs Hotel – with the following hands to wit – **Jno. M. Moreheads**
hands, Robert Duncan, James Wray Jr., James O. Wray, James
Carter, Z. Southard, Peter Kemp, James Jarrell, David Yountz, Jesse
Southard, Hiram Short, Stephen Hodgin, C.J. Ragland, James
Ragland, Thomas Ragland, A.J. Wray, Saml. T. Hopper, Wm. R.
Strongs hands, **P. Reynolds Jr, A.R. Johns Jr., Wm. H. Robertson, M.**
Robertson, Geo. W. Harris, M.J. Hampton, A.L. Robertson, W.N.
Herriford, John Vernon, John H. Bullard, James King, Frank Miller,
James W. Leak, Marcelles Robertson, A.B. Gallaway, Wm. A. Lewis,
T. Lewis, & such others n the Town of Leaksville, as are not on any other
Road –
- No. 141 – **Fewell Witty** is appointed Overseer of the Road from Martins ford, to
New Bethell X Roads, with the following hands to wit – **B.Y. Cummings,**
Ezekiel Witty, Andrew Barham, Saml. Farrar, Joel Barham, Sidney
Witty, Wm. White, R. Simpson Jr., Lee Barham, Wm. Sharp, Peter
Simpson, Simeon Simpson, John Barham, Alfred Amos, John B.
Farrington, Leonidas Cummings & Hugh Lynch –

Roads No. 142 – Joshua S. Wall is appointed Overseer of the Road from the Mayo ford
Continued to Gallaways Mill Creek, with the following hands to wit – **Thomas**

Lewellin, Saml. Lewellin, James Lewellin, Nat. Hartgrove, James Sharp, John Sharp, Nat. Allens hands, Joseph Allen, James A. Sharps hands, George B. Woodson, John McCubbuns, Jackson Miles, & his own hands –

No. 147 – **Michael H. Thomas** is appointed Overseer of the Road from Grassy Springs to Spring Garden, with the following hands to wit – **James Thomas Sr. hands, James F. Thomas, Tyre Carters hands, Wilford Carter, Jackson Carter, Hiram Gibson, J.Q. Roberts, Frank Tally, Mrs. Barkers hands, John Grogan, Anderson Solomon, John Irvin & Joseph Black –**

No. 155 – **Robert M. Jones** is appointed Overseer of the Road from the X Roads in Miller Old field to **Jane Saunders'** old place, with the following hands to wit – **R.M. Napiers hands, Mrs. Johnsons hands, Hubbard Carter, Calvin Pursell, David Lewy, James Jackson, John W. Jones & James Jones**

No. 156 – **P.D. McCollum** is appointed Overseer of the Road from **Jane Saunders'** old place to **R.A. Ellington** with the following hands to wit – his own hands, **Wm. S Yors' hands, Elisha Wade and hands, David Shreive, James C. Shreive & James Wade –**

No. 157 – **Henry Johns** is appointed Overseer of the Road from the X Roads in Miller old field, to the Iron Works Road, with the following hands to wit – **Calvin Johns, Wm. Burk, Jackson Smothers, James Smothers, James D. Thomas, Wm. G. Smothers & William King Jr. –**

No. 162 -- **John W. Hutcherson** is appointed Overseer of the Road from the bend of Glady branch by **J.P. Kings** old place to Alcorns lane, with the following hands to wit – **David Pursells hands, Thomas John Jr., John C. King, Joshua Roach, Wm. P. Saunders, Hewit Wheely, Wm. Harrison, Wm. W. Pursell, Nathl. Small, George W. Stewart, James Foy & Leroy C. King –**

No. 168 – **George S. Traylor** is appointed Overseer of the Road from Baggage Road towards Rocky Springs by Isaac Wessons, with the following hands to wit – **Arrington B. Stone**

Roads Continued **Saml. D. Lemonds, C.D. Angel, F.H. Lemonds, Wm. Lester, Isaac Westons hands, Sidney I. Albert, J.N. Angel, G.C. Molloy & hands, Phillip Case, Pleasant Lemonds, J.J. Purdew, Jesse H. Angel, & William Stone –**

No. 170 – **William Stire** is appointed Overseer of the Road from the **Henry Miller** Old place, by **Saml. Roberts'** to the Road leading from **Wentworth** to **Nichols** Old field with the following hands to wit – **James Mitchells** hands, **William Jarrell, Mrs. Jarrells hands, Alexr. Grady, Henry Grady, Edward Ellington & Bedford Stire –**

No. 175 – **John Pritchett** is appointed Overseer of the Road from **Wrights X** Roads to **Nathan Wrights**, with the following hands to wit – **A.M. Roaches** hands, **Robert Young, Wm. Pritchett, James Jones, Green L. Jones, E.M. Powells** hands, **Allen Martin, Baily Martins** hands, **Danl. McCollums** hands, **David McCollum, Andrew Newnam, Vincent Boyles, John Martin, Kim McCollum, A.H. Webb, Burrell Fargis, John Carroll, John Wren, James Martin, Nathaniel Martin, John A. Roach & Robert Collins –**

No. 177 – **Lewis Truit** is appointed Overseer of the Road from **Isaac Basons** Shop, to the Middle prong of **Jacobs Creek** with the following hands to wit – **Jas. Basons** hands, **Hiram Park, Hartwell Johnson, Isaac Bason, Wm. Simpson, James Simpson, & Starlin Simpson -**

No. 187 – **Richard I. Gilliam** is appointed Overseer of the Road from **Thomas Blackwells** to **Lawsons X Roads**, with the following hands to wit – **Wm. J. Gilliams** hands, **A. Griffiths** hands, **Robt. H. Courts** hands, **Thomas Mullins** hands, **Mrs. Warriners** hands, **Robt. H. Warriners** hands, **Calvin Roseberry, Wm. Griffin, Wm. Tulloch, Thos. Tulloch, Wm. Sanders, John Sanders, Thompson Brown, Henry Griffith, James Tulloch, George Taylor, John Stovall, Monroe Saunders, Thos. Burton, Peter Stephens, James Stacy, Peyton Dalton & Woodson Griffith –**

No. 188 **Charles Joyner** is appointed Overseer of the Road from **Fuquas lane** to the **Bagage Road**, with the following hands to wit – **James Williams, Carters** hands, **Jas. Bason & hand, Danl. Molloy 1 hand & Joel A. Gentry 1 hand –**

Roads **State of North Carolina}** **E.R. Harris**, Ex Parte – Pet. to Change a
Continued **Rockingham County}** Road –Report confirmed & ordered to be
 enrolled, and the Road as Changed adopted as a public highway
 To the Worshipful Justices of the Court of Pleas & Quarter Session May
 Term 1857 –

I **David I Rawley** one of the Justices of said County, having been applied to **E.R. Harris** for that purpose, did Summon **V.M. Holderby**, **Thomas T. Patterson**, two disinterested freeholders to appear with me on the premises to View and examine a certain alteration, which the said **Harris** proposed to make in the Public Road, leading from Stacyville to Perkins Ferry across his land, whereupon we having attended accordingly, and the said **V.M. Holderby & Thomas T. Patterson** being duly Sworn according to Law, proceeded to examine the Condition of the New part of said Road according to the proposed alteration, and find that the road is shortened some fifty yards and the location of the road is more firm and level than the old one, given under our hands and seals this 15th of August 1857

V.M. Holderby (seal)
Thos. T. Patterson (seal)
D.I. Rawley J.P. (seal)

The Overseer of said Road being present and received it as a lawful road.
D.I. Rawley J.P.

Thomas T. Patterson} Petition for alteration in a public Road
Ex Parte } Report filed & confirmed and the Road as changed
 } Established and adopted as a Public highway –
 } Ordered that the report be Enrolled to wit –

State of North Carolina }
 Rockingham County }

To the Worshipful Justices of the Court of Pleas & Quarter Sessions

I **Alvis Daniel** one of the Justices of the Peace of the aforesaid County having been applied to by **Thomas Patterson**, to review a certain piece of Road which the said Patterson wished to change, and having summoned 2 freeholders **Newbel Ratliff & Edwin R. Harris** and they being duly sworn, make the following report, by Measurement we find the old Road to be 1400 yards long, and the proposed change to be 1700 a difference of 300 yards. We further State that we believe the proposed change will be the best Road in the Winter during the freeze, and that the old road might be better during the summer months, the above respectfully submitted under our hands -

I receive the above road as Overseer } **E.R. Harris**
 } **Newbel Ratliff**
 } **Alvis Daniel J.P.**

Part of the Above road runs over my land, a small portion, & I hereby consent that said change be made. **Jesse T. Leftwich**

Ordered that **Thomas D. Rosebroughs** hands be excused from **Jas. Halls** order –

**Settlements
Returned**

Settlement with **Nathl. & Valentine Allen** Exors. of **Saml. Allen** returned

Settlement with **David Mitchell** Admr. of **Grace Cornwall** decd. returned

Settlement with **T.W. Keen** admr. of **James Cobb** Decd. returned

Settlement with **Alfred Walker** Admr. of **Wm. Hopkins** decd returned –

Settlement with the Estate of **Joseph Allen** decd and his Wards returned –

Settlement with **A.L. Williams** Guard. of **Robert & Celia Simpson** Returned –

Settlement with **Thos. Dalton** Guardn. of **Eppy Rhodes'** children returned –

Settlement with **James G. Sims** Guardian of **Robt. Sims** returned –

**Guardian
Returns**

Tyre Carter Guardian of **William D. Webb**, made his return –

Rufus Massey Guardian of **N.S. Massey** made his return –

William Rice Guardian of **Wm. C. Rice** & others made his return –

T.L. Stubblefield Guardian of **Sally C. & James A. Withers** made his return –

L.V. Marcelllott Guardian of **Mary Marcelllott** made his return –

A. Lomax Guardian of **Martha & Sharach Simpson** made his return –

B.S. Roberts Guardian of **Mary Ann, & Elizabeth Comer** made his return

E.S. Morris Guardian of **E.M. & M.L. Cryer** made his return –

Wm. B. Carter Guardian of his Children made his return –

**Inventories
& Sale list
Returned**

Inventory and Sale list of the property of **Charles Roper** decd Returned by **C.L. Glenn** admr.

Inventory and Sale list of the property of **Pearson Moore** decd returned by **T.C. Meadors & Wilson D. Moore** Exors

Inventory and Sale list of the property of **A.M. Whitsett** decd returned by **R. Walker Jr.** Admr.

**Inventories
& Sale list
Continued**

Inventory and Sale list of the property of **William Comer** deceased returned by **P. Hopkins** Exor.

Inventory of the property of **Drury Price** deceased returned by **Allen Price** & others Excrs.

Inventory of the property of **Nancy McCray** deceased returned by **Wilson D. Moore** Exr.

Sale list of the property of **Joseph Allen** decd returned by **E.R. & Wm. F. Windsor** Admr.

Inventory of the property of **Ruth Jones** deceased returned by **Amos G. Walker** Admr.

Inventory and Sale list of the property of **Elijah Wilson** deceased returned by **Robt. W. Scales** Admr.

John W. Ellington

Deeds Powers of Attorney & C. Proved & Ordered to be Registered
to wit –

Deeds &	Power atto.	Miles D. King from Wm. P. Glass & Wife
Powers atto	Power atto.	Miles D. King from W.G. McDowell –
& C. proved	Deed	Daniel Carroll from John Barber & Sally his wife
	Deed	Walter R. Smith from Jones W. Burton & Wife 2 others
	Deed	T.D. Rosebrough from Joseph H. Cardwell
	Deed	Hampton & Harris from A.B. Johns
	Deed	Elisha Wade from Saml C. Edwards
	Deed	Elisha Wade from Katharine Wall –
	Deed	Jackson Barker from Anderson Solomon & Wife
	Deed Gift	Carmel Thacker & Wife Sally from Elijah Coblar –
	Deed	Walter R. Smith from Rufus H. Smith –
	Deed	John Carter from Tyre Carter –
	Deed	Wm. P. Williams from Abel L. Williams –
	Deed	Thomas Carrell from E.M. Woodburn –
	Deed	Robert Simpson from John Winchester –
	Deed	Thomas Roach from Prudence R. Bolton –
	Power atto.	Alexr. Carter from Saml. S. Carter –
	Deed	Wm. Perdue from George Young –
	Deed	J.M. Crowder & others from J. Hooper Admr of Jas. D. Taylor–
	Deed	Wm. Herbin & others from E. Watlington & Wife –
	Deed	Wm. O. Hopper from Priscilla Baily –
	Deed	Thomas Martin from M.L. Joyce –
	Deed	John P. Grogan from Henry Barnes –
	Deed	Reuben Jones from Warren McCain & Wife –
	Deed	H.L. Patrick from Clk & Master –
	Deed	John Roberts from Joseph H. & Allen Roberts –
	Deed Trust	Peter D. Brann from Jane Brann –

Jury Drawn

1. Greenville Hopper
2. Joseph H. Cardwell
3. John Roberts Jr.
4. Saml. Farrar
5. Saml. F. Adams
6. John Kallam
7. L.H. Dalton
8. Zachariah Sneed
9. B.A. Crafton
10. Richd. Lewellin
11. Flemin Goolsby
12. David Huffines

List of Jurors drawn for August 1857 Term to wit

- | | |
|------------------------|--------------------------|
| 13. Henry Warren | 25. C.F. Watkins |
| 14. Stone | 26. Henry A. Kallam |
| 15. Henry Claybrook | 27. David Jarrett |
| 16. Joseph D. Griffith | 28. Walker Smith |
| 17. Johnson Crawford | 29. Andrew Martin N.Cook |
| 18. James Harrison | 30. Alexr. Thompson |
| 19. A.S. Baughn | 31. Milton Stamps |
| 20. Robt. H. Woodson | 32. Wm. G. Williams |
| 21. Joshua S. Wall | 33. Francis Watkins |
| 22. Levin Miner | 34. Jas. M. Tucker |
| 23. L.V. Marcelliott | 35. Francis J. Smith |
| 24. E.T. Brodnax | 36. Wm. F. Windsor |

Called Court

State of North Carolina }
 Rockingham County }

At a Called Court begun and held in the Clerks Office in
 Wentworth on the 27th day of June 1857

Present on the B

Thomas Roach	}	
R. Walker Sr.	}	Justices
R.M. Napier		

It appearing to the Court that **John W. Ellington** Esq. being appointed at the May Term of the County Court 1857, to take the list of Taxables in the Wentworth District, has resigned his office, and is thereby incapable of taking said list –

It is therefore ordered by the Court that **John G. Robertson** Esq. be appointed to take the list of Taxables in said District of Wentworth the present year (1857) in place of **John W. Ellington** resigned as aforesaid –

Thomas Roach J.P.
Ro. Walker J.P.
R.M. Napier J.P.

John W. Ellington resigned his Office as Justice of the Peace. June 16, 1857

Deeds &C.

Deed, Deeds of Trust &C. proved & ordered to be Registered out of Term time to wit –

Deed	Hampton & Harris from B.S. Roberts	June 10 th 1857
Deed Trust	Nicholas Lyon Trustee from Jas. J. Travis	" 20 th 1857
Deed	Wm. M. Ellington from Job Baker	" 23 rd 1857
Deed Trust	Jas. T. Simpson Trustee from Wm. F. Oaks	July 4 th 1857
Grant	Robt. M. Jones from N. Carolina	" 8 th 1857
Grant	John Blair from the State N.C-	" " 1857
Deed	Jas. H. Hall from Jno. H. Dillard C.M.E.	" " 1857
Deed Trust	Neptha Cobb Trustee from L.G. Cobb	" 15 th 1857
Deed Trust	Wm. H. Robertson Trustee from Alfred Cobb	Aug. 4 th 1857
Deed	T. Ruffin Jr. from Holt, Ellington & Holt	" 10 th 1857
Deed Trust	R.C. Sanders Trustee from John M. Hughes	" 14 th 1857

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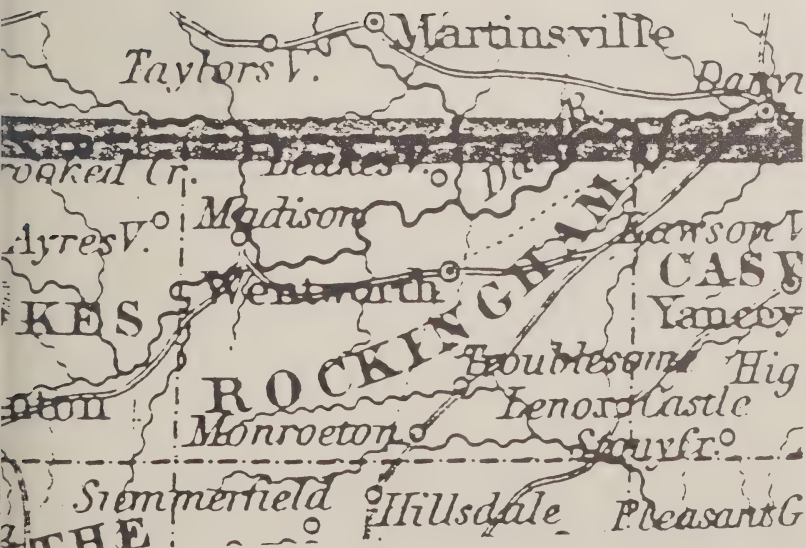
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The Journal of Rockingham County History and Genealogy



The Rockingham County Historical Society, Inc.
VOLUME XXVI NUMBER 2 December 2001

The Journal of Rockingham County History and Genealogy

The Journal is published semiannually in June and December by the Rockingham County Historical Society, Inc. Box 84, Wentworth, N. C. 27375. Members of the society, for which the annual dues are \$12.00 for an individual and \$15.00 for a family membership, receive the journal. Beginning with the June 1997 issue of the Journal, individual copies may be purchased for \$6.00 per number plus \$1.75 mailing charge. A price list of back issues and other publications is available upon request.

Editorial Policy

The publication committee is interested in receiving articles on the history and genealogical source materials of Rockingham County and the adjacent area. The historical articles must be well written and thoroughly documented. Genealogical articles should consist of previously unpublished primary source materials pertaining to Rockingham County, such as abstracts of local records and edited dairies, letters, or church records. Papers on family history should not be submitted. All copy, including footnotes, should be typed, double-spaced. Articles and correspondence should be sent to the Editor: Robert W. Carter, Jr., 1141 Irvin Farm Road, Reidsville, N. C. 27320.

About The Cover

The cover illustration is from "Colton's Atlas of the World", 2nd edition, published in 1856. Reprint by The Charlotte Observer, Charlotte, North Carolina, 1966.

Courtesy of
Historical Collections Room
Rockingham Community College
Wentworth, North Carolina

The Journal of Rockingham County History and Genealogy

VOLUME XXVI NUMBER 2 December 2001

Contents

Rockingham County Court Minutes August Term, 1857 Transcribed by Susan G. Irving	83
November Term 1857 Transcribed by Susan G. Irving	109
Rockingham County Court Minutes Slave Index For 1857 Compiled by Susan G. Irving	129
Rockingham County Court Minutes Name Index For 1857 Compiled by Susan G. Irving	133

NORTH CAROLINA COURT MINUTES: A GENERAL OVERVIEW

In North Carolina from colonial times until 1868 the county was the primary political and geographical unit. The court of pleas and quarter sessions composed of justices of the peace administered the affairs of the county. In the early history of the court the justices were appointed by the governor on recommendation from members of a particular county's legislative delegation. Later members of the court were appointed by the legislature. The justices were usually prominent citizens of the county and their appointment was for life. During the nineteenth century with ever-increasing appointments the court became quite large with as many as forty to fifty justices serving. State law required only a quorum of three justices to conduct business but usually four to six were in attendance. When important business was to be transacted additional justices were present.

The responsibilities of the court of pleas and quarter session included: hearing civil suits and minor criminal cases; summoning and selecting juries; issuing writs, subpoenas and executions; providing for public buildings, probating estates, hearing petitions; ruling on individual cases of lunacy, caring for orphans and illegitimate children; maintaining public roads and bridges, regulation of building gristmills and granting licenses to taverns.

The court also appointed a clerk of court, a registrar of deeds, a county attorney, county trustee (treasurer), surveyor, wardens of the poor, patrollers (for overseeing the behavior of slaves and free blacks), sheriff, constables (minor peace officers), ranger (for dealing with roving livestock), entry takers (who process state land grant applications), and superintendents of the common schools (after 1839). The officers had to swear an oath to perform their duties and post a bond guaranteeing their actions according to law.

The county court set the local rate and appointed individuals to list, assess and collect taxes. The court also directed the use of the tax revenue that was collected. The county was divided into militia captains' districts and these subdivisions also served for the collection of taxes. By the 1840s the districts were being named for either local landmarks or American patriots.

The minutes of the court of pleas and quarter sessions were recorded in manuscript volumes. Often the handwriting is difficult to read but because the records contain so much valuable information about people and places in the county they are an excellent resource for researchers of genealogy and local history. The surviving court minutes were sent to the North Carolina State Archives many years ago. They have been microfilmed and are part of the core collection of local county records. Many larger libraries have these records for their own respective counties.

The Rockingham County Historical Society wishes to thank Susan G. Irving for her excellent work in preparing for publication the court minutes of the August and November 1857 sessions. Mrs. Irving has retained the original spelling and inconsistencies used in the minutes and researchers are thus encouraged to search for all possible spelling of their family names. The June 2001 Journal contained the court minutes of the February and May 1857 sessions.

Pages 77 to 82 have been omitted from the court minutes since they contain the names of commissioners living in the United States who were authorized to take legal affidavits from non-residents of North Carolina. The pages contain no Rockingham names.

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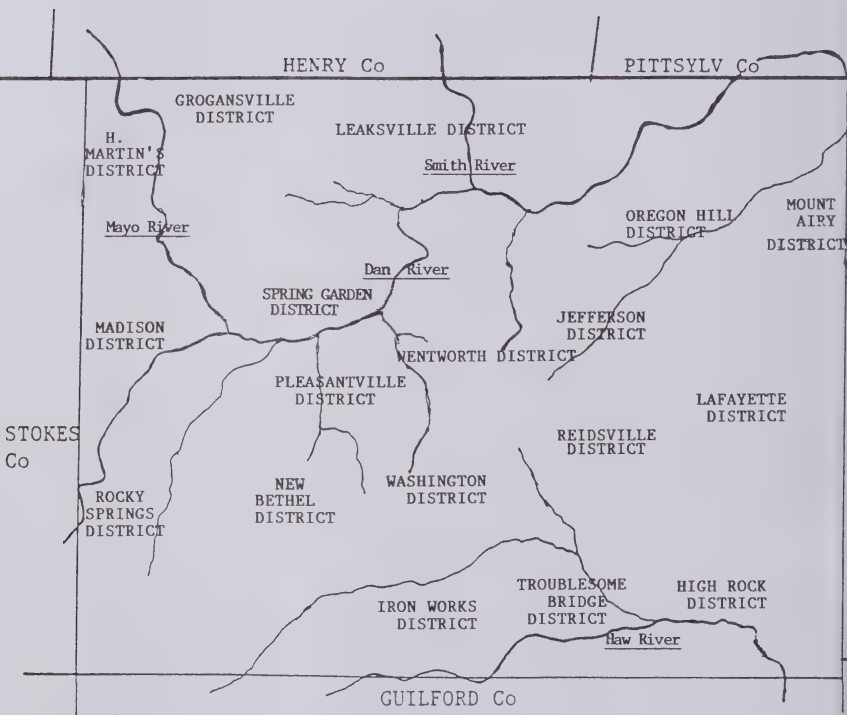
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Rockingham County Militia and Tax Districts in 1857



There is no known map showing the location of the militia, tax and the election districts mentioned in the 1857 court minutes. After years of research Robert W. Carter, Jr. has compiled a map which shows the general location of each district. Some of the district names were abolished in 1868 when the townships were formed however a few of the names survived into modern times as voting precincts.

Compiled by
Robert W. Carter, Jr.

AUGUST TERM 1857

State of North Carolina }
 Rockingham County }

Be it remembered that at a Court of Pleas and Quarter Sessions begun and held for the County of Rockingham, at the Court House in Wentworth on the fourth Monday of August 1857, being the 24th day of the Month

Present on the Bench

F.L. Simpson	}	
Geo. L. Aikin	}	Justices
Alvis Daniel	}	
Alexr. M. Roach	}	

When and where **James Roberts** Sheriff of said County returned to Court the following persons Summoned as Jurors to this Term, to wit –

- | | | | |
|------------------------------|-------------------------------|-----------------------------|----------------------------|
| 1. Granville Hopper | 10. Richard Lewellin | 19. A.S. Baughn | 28. Walker Smith |
| 2. Joseph H. Cardwell | 11. Fleming Goolsby | 20. Robt. H. Woodson | 29. A. Martin |
| 3. John Roberts Jr. | 12. David Huffines | 21. Joshua S. Wall | 30. Alexr. Thompson |
| 4. Samuel Farrar | 13. Henry Warren | 22. Levin Miner | 31. Milton Stamps |
| 5. Saml. F. Adams | 14. Brown Dye | 23. L.V. Marcelliott | 32. Wm. G. Williams |
| 6. John Kallam | 15. Henry Claybrook | 24. E.T. Brodnax | 33. Francis Watkins |
| 7. L.H. Dalton | 16. Joseph D. Griffeth | 25. C.F. Watkins | 34. Jas. M. Tucker |
| 8. Zach Sneed | 17. Johnson Crawford | 26. Henry S. Kallam | 35. F.I. Smith |
| 9. B.A. Crafton | 18. Jas. Harrison | 27. David Jarratt | 36. Wm. F. Windsor |

From among whom the following were drawn as Grand Jurors for this Term to wit –

- | | | | |
|--------------------------------------|------------------------------|----------------------------|-----------------------------|
| 1. Joseph H. Cardwell foreman | | | |
| 2. John Roberts Jr. | 7. Ro. H. Woodson | 12. Alexr. Thompson | 17. David Darratt |
| 3. Henry Warren | 8. David Huffines | 13. F.I. Smith | 18. L.V. Marcelliott |
| 4. Wm. F. Windsor | 9. Joseph D. Griffeth | 14. Fleming Goolsby | |
| 5. Jas. M. Tucker | 10. Andrew Martin | 15. A.S. Baughn | |
| 6. Zachariah Sneed | 11. Francis Watkins | 16. Joshua S. Wall | |

Who after being duly Sworn and Charged and Officer **James D. Ellington** Sworn to attend them retired to their room for the dispatch of business –

The following Jurors of the Original Pannel were called and answered to wit –
Milton Stamps, Saml. F. Adams, Saml. Farrar, Walker Smith, L.H. Dalton, B.A. Crafton, Johnson Crawford, Levin Miner, Brown Dye.

Probate of Wills

A paper writing purporting to be the last Will and Testament of **Thomas Settle** deceased and a Codicil thereto annexed is exhibited for probate in open Court by **Thomas Settle** and **David S. Reid** the Executors therein named and the due Execution of the said Will, and a Memorandum of arause [?] & interlination [?] thereto appended is proved by the Oath and examination of **Joseph Holderby** and **M.C. Holderby** the subscribing witness thereto, and the due Execution of the Codicil annexed is proved by the Oath and examination of **M.C. Holderby** & **Hugh K. Reid** the subscribing Witnesses thereto, It is therefore considered by the Court that the said paper writing and every part thereof is the last Will and Testament of the said **Thomas Settle** and the same is ordered to be recorded and filed – And thereupon the said **Thomas Settle** and **David S. Reid** Executors as aforesaid duly qualify as such by taking the Oath required by law.

A paper writing purporting to be the last Will and Testament of **Abraham Dilworth** decd. is exhibited for probate in open Court by **Adie Dilworth** the Executrix therein named, and the due Execution thereof by the said **Abraham Dilworth** is proved by the Oath and examination of **Robert T. Williams** and **R.L. Apple** the subscribing witnesses thereto, It is therefore considered by the Court that the said paper writing and every part thereof is the last Will and Testament of the said **Abram Dilworth**, & the same is ordered to be recorded and filed. And thereupon the said **Adie Dilworth** Executrix as aforesaid duly qualifies by taking the Oath prescribed by Law –

A paper writing purporting to be the last Will and Testament of **Mourning Roberts** decd is exhibited for probate in open Court by **Charles Hamlin** the Executor therein named, and the due Execution thereof by the said **Mourning Roberts** is proved by the Oath and Examination of **Jones W. Burton** and **Lafayette Osborne** the subscribing witnesses thereto, It is therefore considered by the Court that the said paper writing and every part thereof is the last Will and Testament of the said **Mourning Roberts**, and the same is ordered to be recorded and filed – And thereupon **Charles Hamlin** the Executor as aforesaid duly qualifies by taking the Oath prescribed by Law.

State	State	} The Defendant pleads not guilty
Cases	Vs	} When comes the following Jury to wit –
	Peter Stephens	} Milton Stamps, Saml. F. Adams, Walker Smith, L.H. Dalton,
		} B.A. Crafton, Johnson Crawford, Levin Miner, Brown Dye, Wm.
		} McCollum Jr., Wm. McCollum Sr. Henry Johnson & James H. Hall,
		} who after being Sworn and empannelled for their Verdict say they find the
		} Defendant not Guilty
State		} The Defendant submits
Vs		} It is Ordered and adjudged by the Court that the Defendant Henry
Henry Nance		} Nance be fined one dollar and cost.

When the Defendant & **Thomas D. Price** Confessed Judgment for the sum of \$25. each to be discharged on payment of the fine and cost in this case –

State Cases }
continued Vs }
Frank Petigrew}

The Defendant pleads not guilty –
When comes the following Jury to wit –

Richd. A. Holderby, Jonathan Suits, Hugh Willis, Thomas Roberts, Pleasant Price, D.L. Wright A.H. Webb, Henry Nance, Reason Waters, Thomas Roach, Henry C. Fuller and Burwell Grogan – Who after being duly sworn and empannelled for their Verdict say they find the Defendant guilty in Manner and form as charged in the Bill of Indictment –

It is considered and adjudged by the Court that the Defendant pay a fine of four dollars and the Cost of this prosecution, to be taxed by the Clerk and be in Custody of the Sheriff until the fine and costs are paid –

Robertson Sanders, Wm. F. Windsor, Joseph S. Chambers & Constant Perkins Confess Judgment for thirty dollars to be discharged on payment of the fine and cost in this Case –

State }
Vs }
William Chilton}
Rebecca Kennon}

}The Defendants pleads not guilty, & former conviction & former acquittal –

When comes the following Jury to wit –

Henry Nance, Saml. F. Adams, Walker Smith, L.H. Dalton, B.A. Crafton Johnson Crawford, R.I. French, Brown Dye, Wm. McCollum Jr. William McCollum Sr. Henry Johnson & Jas. H. Hall –

Who after being duly sworn and empannelled for their Verdict say they find the Defendants guilty, in Manner and form as Charged in the Bill of Indictment –

It is considered and adjudged by the Court that the Defendant pay a fine of 6 pence & cost & be in custody of the Sheriff until the fine & costs are paid –

State }
Vs }
on Wm. Chilton }

Joseph S. Chambers confess Judgment for \$25. to be discharged } payment of the fine & cost in this case –

State }
Vs }
Rebecca Kennon}

John Paschal confesses Judgment for the sum of \$25. to be discharged on payment of the fine & cost in this case –

State }
Vs }
Solomon Grubb}

Solomon Grubbs, John Price Jr. & David M. Molloy acknowledges themselves indebted to the State of North Carolina in the sum of one hundred dollars each to be levied of their goods and chattels land & tenements to be void on condition the said **Solomon Grubb** makes his personal appearance at the next term of this Court, to answer a Charge the State against him, and does not depart therefrom without leave –

State State } Defendants pleads not guilty –
 Cases Vs } When comes the following Jury to wit – **Milton Stamps,**
 Continued **Clay Murphy**} **Saml F. Adams, Walker Smith, L.H. Dalton, B.A. Crafton**
Ella Rice } **Johnson Crawford, Levin Miner, Brown Dye, Wm. McCollum**
Jr. Wm. McCollum Sr. James H. Hall & Jonathan Suits, who
 after being duly sworn and empannelled for their Verdict say they
 find the Defendants both guilty in Manner and form as Charged in
 the Bill of Indictment –
 Judgment of the Court Suspended

State } Defendants pleads not guilty –
 Vs } When comes the following Jury to wit – **Richd. A. Holderby,**
Green Craddock} **Hugh Willis Thomas Roberts, Pleasant Price, D.L. Wright,**
Danl. J. Patterson} **A.H. Webb, Henry Nance, Reason Waters, Thomas**
Roach Henry C. Fuller, Eb. Carter & Henry Johnson, who after
 being duly Sworn and empannelled for their Verdict Say they find
 the Defendant **Patterson** guilty and **Craddock** not guilty –
 It is Considered and adjudged by the Court that the
 Defendant Patterson pay a fine of \$3. and be in custody of the
 Sheriff until the fine and costs are paid –
 When **Allen Kallam & John Smith** Confess Judgment for
 the sum of \$25. each to be discharged of payment of the fine &
 cost in this case –

State } Defendant pleads not guilty –
 Vs } When comes the following Jury to wit - **Milton Stamps, Saml. F.**
Andrew Solomon} **Adams Walker Smith, L.H. Dalton, B.A. Crafton, Johnson**
Crawford, Levin Miner, Brown Dye Wm. McCollum Jr. Jas.
H. Hall, Rufus J. French & Jonathan Suits, who after being
 sworn and empannelled for their Verdict say they find the
 Defendant guilty in the manner and form as charged in the Bill of
 Indictment -
 It is considered and adjudged by the Court that the
 Defendant pay a fine of \$3.00 and be in custody of the Sheriff until
 the fine and costs are paid.
 When **Jackson Barker** Confessed Judgment for \$25. to be
 discharged on payment of the fine and cost in this case –

State } Bastardy –
 Vs } Defendant pleads not guilty –
Basly Wilson} When comes the following Jury to wit - **R.A. Holderby, Hugh**
Willis Thomas Roberts, Pleasant Price, D.L. Wright, A.H.
Webb, Henry Nance Reason Waters, H.C. Fuller, E. Carter,
B.F. Webster & J.M. Haynes Who after being sworn and
 empannelled for their Verdict say they find that the Defendant is
 not the father of the Child.

AUGUST TERM 1857

State	State	}	The Defendant Submits.–
Cases	Vs	}	It is Considered and adjudged by the Court that the
Continued	M. Noland	}	Defendant pay a fine of six pence and cost of this prosecution –
State		}	Defendant pleads not guilty –
Vs		}	When comes the following Jury to wit – Milton Stamps,
J. Travis		}	Walker Smith L.H. Dalton, B.A. Crafton, Johnson Crawford
			Levin Miner, Brown Dye Wm. McCollum, A.H. Webb, E.
			Wheeler, W.S. Williams & David Joyce
			Who after being duly Sworn and empannelled for their Verdict say
			they find the Defendant guilty in Manner and form as Charged in
			the Bill of Indictment –
			It is considered and adjudged by the Court that the
			Defendant pay a fine of six pence & the cost of this prosecution to
			be Taxed by the Clerk, and be in Custody of the Sheriff, until the
			fine and cost are paid
			When Pinckney I. King came into Court and Confessed
			Judgment for \$25 – to be discharged on payment of the fine and
			cost in this case –
State		}	Defendant Submits –
Vs		}	It is considered and adjudged by the Court that the
T.F.M. Coyle		}	Defendant pay a fine of \$25. and cost of this prosecution to be
			taxed by the Clerk –
State		}	Defendant Submits –
Vs		}	It is considered and adjudged by the Court that the
John L. Scales		}	Defendant pay a fine of \$1.00 and cost of this prosecution to be
			taxed by the Clerk –
State		}	Defendant Submits
Vs		}	It is considered and adjudged by the Court that the
Alexr. McBride		}	Defendant pay a fine of \$1.00 & cost of this prosecution – and be
			in custody of the Sheriff until the fine and costs are paid –
			When P.R. Wharton Confessed Judgment for \$25. to be
			discharged on payment of the fine and costs in this case –

Civil	R.S. Boswell }	No. 12
Cases	Vs }	Deft. Pleads Genl issue, payment & set off
	John Stacy }	When comes the following Jury to wit – Milton Stamps, Saml. F. Adams, Walker Smith, L.H. Dalton, B.A. Crafton, Johnson Crawford, Levin Miner, Brown Dye R.A. Holderby, James Ratliff, E. Wheeler & John Moir – Who after being duly sworn and empannelled for their Verdict Say they find that the Defendant doth owe the plaintiff the sum of \$296.05 of which sum \$255. is principal money, and that there is no payment or set off – Judgment accordingly –
	Ludwick W. Summers }	No. 13
	Vs }	Defts plead payment & set off –
	Richd. Allen }	When comes the same Jury as in No. 12 – Who after
	Dennis Isley }	being duly sworn and empannelled for their Verdict say they
	Eli Isley }	find the principal of the bond declared on to be \$262.50 that
	L.L. Lambeth }	there is no payment or set off, and assess the plaintiff damages for Interest to \$5.24 – Judgment of the Court accordingly –
	Malinda Foddrell }	No. 14
	Vs }	Defts pleads payment & set off
	Joseph Martin & }	When comes the same Jury as in No. 12 who after being duly
	Saml. Martin & }	sworn & empannelled for their Verdict say they find all issues in
	Nichl. Martin Exors }	favor of the plaintiff, that the principal of the bond declared on is \$200.00 and assess the plaintiff damages for balance of Interest to \$40.00 Judgment of the Court accordingly –
	James Mitchell & }	No. 15
	Jesse Mitchell Exors }	Deft pleads payment & set off –
	Vs }	When comes the same Jury as in No. 12, who after being
	Saml. Martin & }	duly sworn & empannelled for their Verdict say they find all the
	Nichl. Martin Exors }	issues in favor of the plaintiff, that the principal of the bond declared on is \$225.00 and assess the plaintiff damages by way of Interest to \$97.47. Judgment of the Court accordingly –
	Jas. E. Matthews }	No. 16 –
	Vs }	Payment & set off
	Saml. Martin & }	When comes the same Jury as in No. 12. who after being
	Nichl. Martin Exors }	sworn and empannelled for their Verdict say they find all issues in favor of the plaintiff, that the principal of the bond declared on is \$212.50 and assess the plaintiff damages for interest to \$21.25 – Judgment of the Court accordingly –
	R.B. Johnston }	No. 19
	Vs }	Payment & set off
	Nathl. H. Gregory & }	When comes the same Jury as in No. 12. Who after being
	Geo.W. Stubblefield }	sworn and empannelled, for their Verdict say they find the principal of the bond declared on to be \$700.00 that there is no payment or set off, and assess the plaintiff damages for interest to \$18.33 – Judgment of the Court accordingly -

AUGUST TERM 1857

Civil **George Simpson}**
 Cases **Vs }**
 Continued **John Stacy }**
 Aaron W. Pool}
 Anthony Benton}
 Jackson Jones}

No. 20

Payment and Set off

When comes the same Jury as in No. 12 Who after being duly sworn and empannelled for their Verdict say they find all issues in favor of the plaintiff that they find the principal of the bond declared on is \$500.00, that there is no payment or set off and assess the plaintiff damages for interest to \$50.00

Judgment of the Court accordingly –

George Simpson}
Vs }
John Stacy }
Aaron W. Pool}
Jackson Jones}

No. 21

Payment and set off –

When comes the same Jury as in No. 12, Who after being duly sworn and empannelled for their Verdict say they find the balance of the principal of the bond declared on, after allowing the endorsed payment to be \$247.89 that there is no further payment or set off, and assess the plaintiff damages for interest to \$17.14.

Judgment of the Court accordingly –

D.L. Wright }
Vs }
D.W. Stubblefield}
Geo. W. Stubblefield}

No. 23

Payment & set off

When comes the same Jury as in No. 12, Who after being duly sworn and empannelled for their Verdict say they find the principal of the bond declared on to be \$195.60 that there is no payment or set off and assess the plaintiff damages for Interest to \$11.57 –

Judgment of the Court accordingly –

B.H. Carter }
Vs }
John N. Cobb}

Original Attachment –

It appearing to the Court that the order of publication made at the last term of this Court has been Complied with, and the defendant failing to appear and repleoy and plead to the Plaintiffs action, It is considered and adjudged by the Court that the Plaintiff recover of the defendant the sum of \$642.54 with interest thereon from the 25th day of December 1856 until paid, also his cost to be taxed by the Clerk.

And it appearing to the Court that **M.C. Holderby** the Garnishee in this case Confesses that he is indebted to the defendant the sum of \$45.90, It is considered and adjudged by the Court that the conditional Judgment heretofore granted against the Garnishee for the sum \$45.90 be made absolute, and that the plaintiff recover of the said **M.C. Holderby** the said sum of \$45.90 in part satisfaction of his Judgment against the defendant **John N. Cobb** with cost of suit.

Civil Cases Cont.	Chas. W. Alverson} Vs } Charles D. Slaughter}	Original Attachment It appearing to the Court that the order of Publication made at the last term of this Court has been complied with, and the defendant failing to appear and relevy and plead to the plaintiff action, It is considered and adjudged by the Court, that the Plaintiff recover of the Defendant the sum of \$151.16 with interest from the 18 th of March 1857 till paid, also his cost of suit to be taxed by the Clerk – And it appearing to the Court that Alexander Carter the Garnishee in this Case Confesses that he is indebted to the defendant in the sum of \$28.00 and A.W. Pool & Co. Garnishee in this case confesses that they are indebted to the defendant in the sum of \$16.47, and John G. Watkins Garnishee in this case confesses that he is indebted to the defendant in the sum of \$25.00 And Sanford W. Lanier Garnishee in this case confesses that he is indebted to the defendant in the sum of \$35.00. It is Considered and adjudged by the Court that Judgment against the several Garnishees for the several sums confessed be made absolute, and that the Plaintiff recover of the said Alexander Carter \$28.00 and of A.W. Pool & Co. \$16.47 and of John G. Watkins \$25.00 and of S.W. Lanier \$35.00 in part satisfaction of his Judgment against the defendant Charles D. Slaughter with cost of suit –
	Drury Smith } Vs } Guilliams McDaniel & } Berry D. Moore}	Judgment by default final according to Specialty filed against the Defendant Berry D. Moore for the sum of \$1572.82 balance of the principal of the bond declared on with interest thereon from the 22 nd day of January 1857 until paid –
	Joseph W. Neal} Vs } Jas. G. Rainy & } John G. Rainy}	Judgment by default final according to Specialty filed for the sum of \$56.00 Execution stayed till Nov. Term
	Wm. Scott } & others } Vs } Andrew Scott } & others }	Petition for Partition of Slaves It appearing to the Court that since the filing of the Petition the Petitioner Pearson Moore hath died. It is ordered that the suit abate as to him, and that Isabella Moore have leave to continue the suit as feme Sole – It further appears to the Court that the order of Publication as to the defendant Andrew Scott , has been complied with, and service of process acknowledged by the defendant Pinckney C. Scott , and the defendants failing to appear and plead answer or demur. It is ordered that Judgment pro confesso be taken against them, and that this case be set for hearing Ex Parte – This Cause coming on to be heard upon the Petition the exhibit, and the orders made, It is declared by the Court, that Partition of the Slaves mentioned in the Petition Cannot be made without prejudice to those interested; It is therefore ordered that Wm.M. Ellington the Clerk of this Court proceed to sell the Slaves mentioned in the pleadings, that said Sale be made at the late residence of David Scott Deed upon a credit of six months, that the commissioners advertise the time and day at two or more public places, one of which shall be at the Court House door in Wentworth; That he take bonds payable to himself as commissioner with approved security for the purchase money, and report to the next Court-

AUGUST TERM 1857

A Majority of Justices Present – to wit –

Majority of
Justices
Present

Geo. D. Boyd, George W. Garrett, John W. Martin, Tyre Carter, F.L. Simpson, T.W. Keen, A.G. Walker, R.B. Henderson, R.H. Gladson, J.M. Grogan, J.W. Neal, J.W. Burton, W.D. Bethell, Geo. L. Aikin, Saml. Martin, Jno. Stacy, Wm. Scott, A.P. Smith, J.T. Simpson, R.T. Williams, R. Walker Sr., N.H. Dodd, Allen Price, Orson Martin, Winston Kallam, A.M. Roach, J.G. Robertson, J.W.S. Lowe, Alexr. Wall Thos. Roach, Drury Smith, Albert Lomax, A. Daniel, J.A. Vernon, D.I. Rawley, Wm. Carter, T.I. Robertson, Henry Barnes – 38

Election of
County
Officials

When the Court proceeded to the Election of States Attorney (A.M. Scales having resigned) When **Thomas Settle** was duly Elected, and qualified –

The Court then proceeded to the Election of Public Register, When **Richard P. Jones** was duly elected, who entered into bond with Security according to Law, and qualified by taking the Oath of Office –

Peter Scales duly Elected County Surveyor entered into bond according to Law & qualified by taking the oath required –

The Court then proceeded to the Election of a Chairman, When **William D. Bethell** was duly Elected.

The Court then proceeded to the Election of a Special Court, When **David I. Rawly, William Scott, Allen Price & George L. Aikin** were duly Elected –

It appearing to the Court that **William M. Ellington** had been duly Elected Clerk of the County Court of Rockingham County, Who entered into bond with Security according to Law Which bond was accepted by the Court, and the said **W.M. Ellington** qualifies by taking the Oath required by law –

Allowances

James Roberts Sheriff renewed his official bonds according to Law –

It is ordered by the Court that the County Trustee pay to **Sanford W. Lanier** fifty dollars for repairing the public road near or in his plantation –

It is ordered by the Court that the County Trustee pay to **W.M. Ellington** one hundred dollars for his Ex-officio services as Clerk of the County Court, and ten Dollars for his services as Clerk of the Board of Superintendants of Common Schools - & \$10.60 for deed prep.

It is ordered by the Court that **E.W. Hancock** be allowed the sum of one hundred dollars for making or laying a Rock pavement around the Court House –

It is ordered by the Court that the County Trustee pay to **James T. McKillis** \$36.12 for arresting and carrying **William Simpson** to the Lunatic Asylum at Raleigh, N.C. -

It is ordered by the Court that the County Trustee pay to **James Roberts** Sheriff the sum of \$31.50 for arresting & carrying **Thomas Benton** to the Lunatic Asylum at Raleigh NC –

It is ordered by the Court that the County trustee pay to **Thomas D. Price** \$9.00 for his Services as Coroner in the case of **Maria Fisher**.

Commissioners It is ordered by the Court that **R.A. Ellington, Saml. Moore & Joseph H. on Bridges & C. Cardwell** be appointed Commissioners to contract for the building of a Bridge across Jacobs Creek at Danbury, and report to the next Term of this Court –

It is ordered by the Court that **James M. Scales** be appointed Commissioner to make sale of Timber Plank & C. on the Eagle Falls & Mayo Bridges & make report accordingly –

It is ordered by the Court that **R.W. Lawson & Wm. P. Watt** be appointed Commissioners to repair the Bridge across Hogans' Creek, East of Lawsonville, & report to the next Term of this Court –

It is ordered by the Court that **F.L. Simpson, Coleman Brann & George W. Garrett** be appointed Commissioners to contract for the building of a Bridge across Haw River, near High Rock, and report according to law –

Double Taxes Ordered that **Mrs. S.S. Gallaway** be released from the payment of Double
remitted & C. Tax on one Gate for 1856

Ordered that **C.L. Glenn** admr. of **C. Roper** List the lands & Slaves of said decd. on the Tax list of 1857 –

Ordered that **Joseph H. Cardwell** be released from the payment of one Free black Poll for 1856 also that he be released from the payment of double Tax on one Gate for 1856 –

Ordered that **Elijah Nelson** be released from the payment of one Poll Tax for 1856 –

Ordered that **Lydia York** be released from the payment of one Poll tax for 1856 –

Ordered that **Alfred Flynn** be released from the payment of one Poll Tax for 1856 –

Ordered that **Staples & Gallaway** be released from the payment of the Tax on \$1500. Erroneously listed as dividends and profits, and Taxed with that amount as Merchandise –

Ordered that **A.M. Scales Jr.** be allowed to complete his tax list of 1857 by \$750. as Salaries & fees and \$36.00 Interest received –

C.L. Glenn admr. of **C. Roper** lists the following property to wit- 761 acres of land Valued at \$1690. and 10 black Polls –

Ordered that **Tyre Carter** be released from the payment of one poll tax for 1856 –

Ordered that **Josep Chambers** be released from the payment of double Tax for 1856 – Also that **James Smith** be released from the payment of double Tax for 1856 –

Ordered by the Court that the double Tax on **Elisha Wades** property be remitted for 1856 to wit – 129 acres of land at \$129. 1 Black Poll, 1 Free blk Poll, 1 Jack and \$2300. Capital in trade –

AUGUST TERM 1857

Double Tax

Ordered by the Court that **James A Sharp** be released from the payment of double Tax 1856 Also that **Thos. R. Williams** be released from the payment of double Tax 1856 –

Ordered by the Court that **Thomas J. Worsham** be released from the payment of a Tax on One Buggie erroneously listed 1856 Valued at \$100 –

Ordered that **Hardin Hopper** be released from the payment of Tax on 1 black Poll 1856 –

Ordered that **William York Sr.** be released from the payment of Tax on 4 black Polls erroneously listed 1856 –

Ordered by the Court that the Clerk enter upon the Tax list of 1857 – 1400 acres of land belonging to the Estate of **P.T. Hay** decd. as if entered by the Administrator –

Seven Justices on the Bench

License to retail

Spts. Liquors

Ordered by the Court that License to retail Spiritous in the Town of Leaksville be granted to **Charles D. Harris**.

Ordered by the Court that License to retail Spiritous Liquors in the Town of Leaksville be granted to **Hampton & Harris** –

Ordered by the Court that License to retail Spiritous Liquors at Ayersville be granted to **J.W. & W. Martin**,

Ordered by the Court that License to retail Spiritous Liquors in the Town of Madison be granted to **Pleasant Black** –

James Roberts Sheriff makes his return upon Oath of Taxes collected by him for the year ending 1st July 1857 also his list of Insolvents removals & C.

W.M. Ellington return upon oath the list & amt. of Collateral Tax collected by him for the year ending 1st of July 1857 –

Ezekiel Wheeler Exor & **Margaret Jones** Exorx of **John V. Jones** indulged until the next term of this Court to make Settlement of said Estate –

Victor M. Holderby has leave to withdraw to bond from the Clerks off in the case **A.A. Griffeth** Vs him by leaving a copy of the same –

Thomas I. Robertson & A.P. Smith admrs. of **John M. New** decd. indulged until the next term of this Court to make Settlement –

Raising Jailors fees

On Motion, a Majority of the Justices being upon the Bench, It is ordered that the Jailor of Rockingham receive for finding Just provisions & .C. for Prisoners as Specified in Act of Assembly the Sum of forty cents per Diem instead of thirty cents as heretofore, and it is ordered that this raising of the fee be recorded

Commissioners to Settle & C.

It is ordered by the Court that **F.L. Simpson, Pinckney Winchester & E.S Morris** be appointed Commissioners to settle with **James M. Scales** Guardian of **William P. Walker**, and that he be allowed 5 per cent on both sides of the account, and that they report according to Law –

Ordered by the Court that **David I. Rawly & Richard A. Holderby** be appointed Commissioners to Settle with **Thomas** and **N.L. Blackwell** Executors of **Thomas Blackwell** decd and that they be allowed 5 per cent on the receipts & 2 ½ per cent on the disbursements, & report according to law –

Ordered by the Court that **J.M. Cox & W.B. Carter** be appointed Commissioners to settle with **Joseph H. Cardwell** Executor of **Nancy Scales** decd. and that he be allowed five per cent on the receipts, and that they report to the next term of this Court –

Ordered by the Court that **Richard Martin & John H. Jamerson** be appointed commissioners to settle with **Nathaniel Vernon** administrator of **Thomas Vernon** decd. and report to the next Court.

Ordered by the Court that **Thomas Carter** and **Isaac Martin** be appointed Commissioners to settle with **E.B. Carter** Admr. of **Andrew S. Williams** decd. and report to the next Court –

Ordered by the Court that **Wm Scott, John McGibony & John Winchester** be appointed Commissioners to Contract for the repairing of the Bridge across Haw River on the road leading from Danville to Salisbury or to contract for the building of a new one, at their discretion, provided the same shall not cost more than \$150.00 and report to the next Court –

Ordered by the Court that **Joseph Young** be allowed five per cent commission on \$600.00 as Administrator on the Estate of **Jordan F. Doggett** decd.

Patrols appointed

It is ordered by the Court that **Wm. Lindsey, John Y. Stokes, James Lindsey, R.G. Johnson** and **G.W. Johnson** be appointed Patrol in Jefferson District

It is ordered by the Court that **Hiram Price, James Chandler** and **Saml. Chandler** be appointed Patrol in Oregon Hill District –

On Motion it is ordered by the Court that **A.H. Webb, Abram Walker & W. Hopkins** be appointed to Value the Slaves **Tom & Laura** given by **O.M. Scott** in his Will to his two sisters **Elizabeth Scott & Margaret Young** and ascertain the Value of said Slaves in August 1855 –

We the undersigned Commissioners appointed to Value the two Slaves **Tom & Laura** given by **O.M. Scott** to his two sisters **Elizabeth Scott & Margaret Young** we are of the opinion that **Tom** was of the Value of \$300. at the Close of the Administration & that the Girl **Laura** was of the Value of \$500. Making \$800.00

Respectfully submitted

A.H. Webb
A. Walker
W. Hopkins

Road Orders

Ordered by the Court that **John Gibson** a free boy of colour be taken from the road order of **James Hall**

Ordered by the Court that **Danl. T. Ellington & Wm. A. Ellington** be placed as hands to work on the road from Bethlehem Meeting House to **Col. Smallwoods** –

No. 18. **Sanford W. Lanier** is appointed Overseer of the road from Wolf Island Bridge to the Caswell line, and to keep the Same in good repair with the following hands to wit – **Jesse T. Leftwich**' hands **Catherine Delancy's** hands, **E.R. Harris**' hands, **John B. Delancy**, **Henry Cook**, **Reece Bass**, **S.P. Mitchells** hands & **H.M. Price** & hands and his own hands –

No. 80. **P.F. Gallaher** is appointed Overseer of the road from Joyces ford to **Widow Sims**' with the following hands to wit – his own hands, **Mrs. Scales**' hands, **Nathl Scales** & hands **Wm. Daltons** hands, **Mrs. Bolins** hands **Hardin Turner & Washington Lemonds** hands –

No. 83. Rockingham County N.C. August 20th 1857 –

I Justice of the Peace of this County hereby Notify Messrs. **Pleasant Webster, Johsua S. Wall, Henry J. McGeehee** freeholders to inspect a road at **W.N. Mebanes** which he had Cleared out on his own land, and which he proposes to turn round his house is that the road now leading from Mayo River to Wards Gap shall leave the old Wards Gap road at a place back about 70 yards east of Said **Mebanes** house and enter into the road leading from Madison to Wards Gap about 70 yards nearer to Madison than the entrance of the old road from Mayo into the same

A.P. Smith J.P. –

To the Worshipful Court of Rockingham County –

We the undersigned freeholders duly summoned, would respectfully report, that we have this day examined the road described in the above summons, and that we find the New road passing over good ground Well cleaned out, and that it is only about one hundred yards further than the old road, and that it is entirely on the land of **Wm. N. Mebane** and that we recommend that you order the change in the road above described – August 20th 1857

Signed in the presence of

A.P. Smith J.P. –

Pleasant Webster

H.J. McGeehee

Joshua S. Wall.

I **Robert Gallaway** Overseer of the road leading from the Camp Ground to Cardwells Mills Creeks a part of the Wards Gap road, have examined the road above referred to, Cleared out by **W.N. Mebane**, and I testify that it is in good condition and I accept it as a part of the road of which I am Overseer
August 20th 1857

Robt. Gallaway

Signed in the presence of **A.P. Smith J.P.**

It is ordered by the Court that the road be changed as above described, and that the Overseer receive and keep the same in good repair as a part of the public highway –

Commissioners to settle Ordered by the Court that **Robin Brown & Smith Moore** be appointed commissioner to settle With **Robt Walker Jr.** Administrator of **A.M. Whitsett** decd. former Guardian of **Nathan Whitsetts** heirs, and 2 ½ per cent be allowed on both sides of the account, & report to the next Court,

Ordered by the Court that **P.R. Wharton & Wilson D. Moore** be appointed Commissioners to Settle with **Robt. Walker Jr.** Administrator of **William Warren** decd. who was former guardian of **Charles W. Jones'** heirs and that 2 ½ per cent commissions be allowed on both sides of the account, and report to the next Court –

Administrations Granted Administration on the Estate of **Martha Wright** decd is Granted to **William L. Wright** Who entered into bond in the sum of \$2500. with **David I Rawly & E.W. Hancock** as his sureties and qualified by taking the oath required by law –

Administration on the Estate of **Yancy Russel** is granted to **William King** who entered into bond in the sum of \$500. with **Thos. W. Keen** and **Miles D. King** as his sureties, and qualified by taking the oath required by law –

Administration on the Estate of **Angeline Winchester** decd. is granted to **Nathan J. Massay** who entered into bond in the sum of \$10,000. with **William Scott & Albert Lomax** as his Securities & qualified by taking the oath required by law,

Administration on the Estate of **Jane Williams** decd is granted to **Ezekiel Wheeler** who entered into bond in the sum of \$4,000. with **E. W. Hancock & W.M. Ellington** as his sureties and qualified by taking the oath required by law –

Administration of the Estate of **Judy Brannon** is granted to **Drury Smith,** who entered into bond in the sum of \$200. with **T. Ruffin Jr. & Thomas D. Price** as his Sureties, and qualifies by taking the oath required by law –

Guardian appointed On Motion **Thomas Settle** is appointed Guardian to **David Settle** who entered into bond in the sum of \$30,000. with **David S. Reid, Joseph W. Neal & Hugh K. Reid** as his securities –

Office	}	
Vs	}	
Polly Cantrell & }		Ordered by the Court that the cost in this case be relaxed by the Clerk and that Execution Issue against William P. Delancy for the cost of the Defendant Wm. McCholister, only.
Wm. P. Delancy }		

AUGUST TERM 1857

- Confirmation of reports** **Orestes Smallwood** } Petition for leave to Erect a Gate across the public road
Ex Parte } leading from Leaksville to Wentworth at the Edge of the
low grounds on south side of Dan River –
The said Petition having been filed and publication
made according to Law – On Motion, A Majority of the
Justices of the County being present, It is ordered that
Orestes Smallwood have leave to Erect, Maintain and
Keep up a Gate across the road, and at the place as
designated in his Petition –
- P.F. Galliher** } Petition for leave to Erect at Gate across the public road
Ex Parte } leading from Leaksville to Joyces ford on Mayo River, at
some point near Petitioners House –
The Said Petition having been filed and publication
made according to law, On Motion, A Majority of the
Justice of the County being present, It is Ordered that **P.F.**
Galliher have leave to Erect Maintain and Keep up a Gate
across the road at the place designated in his Petition –
- Ludwick W. Summers** **admr.}** Petition to Sell Slaves –
of Margaret Tate } Report filed and confirmed and ordered to be Enrolled &
Ex Parte } that the administrator pay cost of this Petition –
See Inventory Book H. Page 241 –
- Anna Pearson** } Petition for years allowance –
Ex Parte } Report filed & confirmed and ordered to be enrolled – To
wit –
State of North Carolina)
Rockingham County }
To the Worshipful the Justices of the Court of Pleas
& Quarter Sessions for said County of Rockingham,
August Term 1857 –
We **A.G. Walker** a Justice of the Peace of said
County & **Wm. E. Walker, James Walker & Daniel**
Boyles freeholders, in Obedience to the annexed order
proceeded on the 22nd day of August to View the Estate of
Thomas Pearson deceased, and out of the Stock Crop and
provisions on hand we have laid off and allotted to **Anna**
Pearson his Widow as follows, that is to say All the
growing crop of Corn with the fodder out supposed to be
between 12 & 15 barrels, the Potato Patch and Garden with
truck patches, one sow & six shoats; The above named
articles being all the Stock & crop on hand, and being
insufficient we proceed to allot other property as follows
that is to say, two beds and furniture, one cupboard one
table two chests, one sugar case, one clock, six chairs, one

AUGUST TERM 1857

Sett of Plates, two sett of cups & saucers two Dishes, One dressing Table all the Kitchen furniture, one Stand of bees, one Sett of Shoe makers Tools We also appropriated to the Petitioner and put her in possession of one bed and furniture and Loom as her absolute property.

Given under our hands and seals this 22nd day of August 1857 –

A.G. Walker	J.P.	(seal)
William Walker		(seal)
David Boyles		(seal)
James Walker		(seal)

Valuation of Slaves	Report of the Commissioners} on the Valuation of the Slaves} of Nancy Neal Decd }
--------------------------------	--

State of North Carolina

We the undersigned having been appointed Commissioners to Value the Several lots of Slaves Willed by **Mrs. Nancy Neal** to her daughter by order of the County Court under the direction of the Will, beg leave to submit the following as our report after Viewing the Slaves we Valued –

Lot No. 1 to Mrs. Rich to wit Girl Retter & two children	\$1266.00
Lot No. 2 to Miss Nancy Neal Jane & Jane	1000.00
Lot No. 3 to Mrs. Simpson Washington & Malissa	1383.00
Lot No. 4 To Mrs. Harris Henry & Daniel	1400.00
Lot. No 5 to Mrs. Howard Betsey & Charles	1383.00

We therefore report that the Executor pay to **Miss Nancy Neal** the Sum of four hundred dollars to make her lot equal to Lot No. 4. And that the Executor pay to **Mrs. Rich** the sum of one hundred and thirty four dollars, and to **Mrs. Simpson & Mrs. Howard** Each the sum of seventeen dollars to Make their lots equal to Lot No. 4 provided funds enough come into his hands.

All of which is respectfully submitted –

Given under our hands and seals this 4th day of August A.D. 1857

R.W. Lawson	(seal)
Robt. H. Scales	(seal)
Wm. P. Watt	(seal)

Wm. Scott }
 & others }
 Vs }
 Andrew Scott }
 & others }

Petition for Partition

It appearing to the Court, that since the filing of this Petition, the Petitioner **Pearson Moore** hath died, It is ordered that the suit abate as to him, and that **Isabella Moore** have leave to continue the suit as feme Sole –

It further appears to the Court that the order of Publication as to the Defendant **Andrew Scott**, has been Complied with, and service of process acknowledged by the Defendant **Pinckney C. Scott**, and the defendants failing to appear and plead answer or demur. It is Ordered that Judgment pro Confesso be taken against them, and that this Cause be set for hearing Ex Parte –

This cause coming on to be heard upon the Petition, the exhibits, and the Orders made, It is declared by the Court, that partition of the Slaves Mentioned in the petition cannot be made without prejudice to those interested; It is therefore Ordered that **William M. Ellington**, the Clerk of this Court proceed to sell the Slaves mentioned in the pleadings, that said Sale be made at the late residence of **David Scott** Decd. upon a Credit of six months, That the Commissioner advertise the time and place of sale, for twenty days, in four or more public places, one of which shall be at the Court House door in Wentworth, that he take bonds payable to himself as Commissioner, with approved security for the purchase Money, and report to the next Court –

Saml. & }
 Nicholas Martin }
 Exors }
 Ex Parte }

Petition to Sell Slaves –

This Cause Coming on the be heard upon the petition, The Court doth declare, that it is necessary to sell the Slaves mentioned in the petition to Satisfy the debts against the Estate of the Testator **Andrew Martin**. It is therefore Ordered by the Court, that the petitioners sell at the late residence of the Testator **Andrew Martin**, upon a credit of six months the Slaves mentioned in the petition: That they advertise the time and place of sale for thirty days in four or more public places one of which shall be at the Court House door in Wentworth, that they take bonds with approved security and report to the next term –

Jones W. Burton Admr. }
 of Daniel Arny }
 Ex Parte }

Petition to sell Slaves –

It appearing to the satisfaction of the Court that the Negro Slaves in the Petition mentioned are required to be sold for the payment of debts & costs & Charges of administration. It is ordered by the Court here, that **Jones W. Burton** Administrator of **Daniel Arny** decd. proceed to sell the said Negro Slaves at public auction in Leaksville on a credit of six months, after first advertising the time & place of sale for twenty days at at four public places in the County of Rockingham, & that he report to the next term of this Court –

Decrees **Rebecca Roper** }
 Cont. **Randal Roper** }
 & others }

Petition for Dower

It appearing to the satisfaction of the Court that **Randal Roper, Benjamin Roper James Roper, Elvira Craddock, Nancy Howlett, Sally McKiver & Polly Nettles** reside beyond the State of North Carolina, It is ordered that publication be made for six weeks in some public News paper of this State, Notifying them of the filing of this Petition, and requiring them to appear at the next term of this Court, and show Cause if any they can, against the prayer of the Petitioner –

Rebecca Roper }
 Vs }
C.L. Glenn admr of }
C.Roper & others }

Petition for settlement & distribution –

Order of Publication as to absent Defendants & that a copy of Petition & subp. issue to **C.L. Glenn** admr.

John J. Joyce }
 & others }
 Ex Parte }

Petition for Partition of Land –

On Motion it is ordered that **Tyre Carter, James Barnes, John Barnes, Henry Barnes & John Carter** be appointed Commissioners to divide the lands described in the Petition into four equal shares, and to allot to each of the petitioners **John J. Joyce Drury Joyce, Alexander Joyce & Robert Joyce** one equal share thereof, and if an equitable division Cannot be otherwise affected, then and in that case they are to charge the more Valuable dividend or dividends with such sum or sums as they shall judge necessary to be paid to the dividend or dividends of Inferior Value in order to make the division equal.

A Majority of the Commissioners are to have power to act, and before they proceed to the execution of this order, they are to be duly sworn by the Sheriff or some Justice of the Peace of Rockingham County and they are to report their proceedings under their hands and seals to the next term of this Court.

Ordered that the Clerk deliver a Copy of this order to the Sheriff to the end that he may Summon the said commissioners to appear on the premises for the purposes above Mentioned –

Tax Lists
Returned

Tax List for the year 1857 Returned to this Term to wit –

John G. Robertson Esq.	Wentworth District	Orson Martin Esq.	Leaksville District
R.H. Gladson Esq.	Madison “	Tyre Carter Esq.	Spring Garden “
James M. Grogan Esq.	Grogansville “	Saml. Martin Esq.	H. Martin “
J.W.S. Lowe Esq.	Pleasantville “	Albert Lomax Esq.	New Bethell “
R.M. Napier Esq.	Washington “	Geo. D. Boyd Esq.	Iron Works “
A.G. Walker Esq.	Troublesome Bridge “	F.L. Simpson Esq.	High Rock “
R.G. Henderson Esq.	Rocky Springs “	John Stacy Esq.	Lafayette “
D.I. Rawly Esq.	Mt. Airy “	Robt. Walker Sr. Esq.	Reidsville “
Thos. Roach Esq.	Jefferson “	Alvis Daniels Esq.	Oregon Hill “

AUGUST TERM 1857

Settlements Returned

- Settlement with **Thos S. Mills & Susan S. Nunnally** Exors of **L.W. Nunnally** decd. returned –
- Settlement with **Drury Smith** Admr. of **Daniel Smith** decd. returned –
- Settlement with **W. Cummings** Admr. with the Will annexed of **Thomas Knight** decd. returned –
- Settlement with **Saml. V. Young** Exor. of **O.M. Scott** decd. returned –
- Settlement with **Thos. & N.L. Blackwell** Exors. of **Thomas Blackwell** decd returned –
- Settlement with **Geo. S. DeJarnette** admr. of **Elizabeth Hutson & Judith Adkins** decd. returned –
- Settlement with **Howard Martin** Admr. of **Laney Carrell** decd. returned –
- Settlement with **D.E. Guerrant** Exor. of **Celia Murphy** decd. returned –
- Settlement with **Jno. M. Scales** Exr. of **Wm. P. Walker** also Guardian of **Priscilla & Nancy Walker** returned –

Guardian Returns

- David Mitchell** Guardian of **Grace Knott** Made his return –
- Alanson Massey** Guardn. of **Celia Massey & others** made his return –
- Saml. S. Wall** Guardian of **Nathaniel M. Hay** made his return –
 Same Guardn. of **Lydia Hay** made his return –
 Same Guardn. of **Maggie Hay** made his return –
- John Strong** Guardian of **Richard E.S. Harris** made his return –
- Alfred Reid** Guardian of **E.M.M. Reid** made his return –
- Wm. Madkins** Guardn. of **John Madkins** made his return –
- Geo. L. Aikin** Guardian of **John L. Gauldin** made his return –
- Daniel Boyles** Guardn. of **Mary & Deborah Boyles** made his return –
- John Lewis** Guardn. of **Adelain Barker & others** made his return –

Inventories & Sale lists returned

- Inventory & Sale list of the property of **Nancy Neal** decd. returned by **J.W. Neal** Exr.
- Inventory & Sale list of the property of **Jannett McDonald** decd. by **John Moir** Exor. –

**Sheffs
returns of
Merchants**

A list of Merchants 1856 -

capital

&.C.	Drury Smith	Merchandise	\$3334.00	Woodburn & Hoskins	Merchandise	\$14620.00
	M. Noland	Liquors	173.00	Do Do	Ready Made Clothing	146.00
	Milton Stamps	Merchandise	338.00	A.P. Smith	Tavern income -	1200.00
	Carter & Dalton	do	13400.00	G. Cardwell	Liquor	178.00
	do do	Ready made Clothing	1034.00	J.W. & W. Martin	do	480.00
	J.M. Grogan	Liquor	400.00	do do	Merchandise	2700.00
	do do	Merchandise	944.00	William Barnes	Liquor	160.00
	J.C. Martin & Co.	do	8211.00	Wm. H. Robertson	Merchandise	4696.00
	do do	Ready Made Clothing	520.00	do do	R.M. Clothing	1092.00
	Reynolds & Bro.	Merchandise	32242.00	do do	Liquor	533.00
	do do	R.M. Clothing	2701.00	Burton & Smith	Merchandise	1000.00
	do do	Pat. Medicine	12.60	do do	Liquor	222.00
	do do	Liquor -	657.00	C.W. Harris	do	408.00
	R.J. & J.French	Merchandise	4597.00	M.J. Hampton	do	369.00
	do do	R.M. Clothing	428.00	do do	Merchandise	761.00
	do do	Liquor	329.00	do do	Ten pin ally	50.00
	R.M. Miller	do	250.00	Terrel & Price	Merchandise	400.00
	R. Saunders	do	38.00	do do	R.M. Clothing	200.00
	Thornton Lynn	do	44.00	do do	Liquor	205.00
	W.G. Williams	do	36.00	R.W. Warriner	do	41.00
	B.F. Williamson	Merchandise	4305.00	Guerrant & Lawson	Merchandise	1000.00
	do do	R.M. Clothing	796.00	Lawson & Co.	do	2770.00
	M.C. Holderby	Merchandise	5462.00	do "	R.M. Clothing	60.00
	do do	R.M. Clothing	559.00	S.H. Boyd	Merchandise	4500.00
	Wm. Sharp	Liquor	215.00	do do	R.M. Clothing	386.00
	Irvin Ratliff & Miner	Merchandise	10133.00	B.J. Law	Liquor	461.00
	do do	R.M. Clothing	1000.00	do do	do	236.00
	do do	Pat. Med.	3.00	P. Black	Liquor	400.00
	I. Fels	Merchandise	400.00	do do	Merchandise	1125.00
	N.C. White	Artist	10.00	do do	Tavern	1500.00
	A. Lomax	Merchandise	2052.00	M. & T. Black	Merchandise	1570.00
	do do	R.M. Clothing	61.00	P. Webster	do	7910.00
	do do	Liquor	106.00	do do	R.M. Clothing	362.00
	Richardson & C.	Merchandise	14000.00	do do	Pat. Med.	50
	do do	R.M. Clothing	880.00	G.N. Harris	Liquor	44.00
	do do	Liquor	56.00	N.L. Blackwell	do	160.00
	Geo.D. DeJarnette	Merchandise	1000.00	Wm. Scott	Merchandise	1200.00
	E.S. Morris	do	5294.00	J.W. Ellington	do	6821.00
	do do	R.M. Clothing	137.00	do do	R.M. Clothing	81.00
	do do	Pat. Med.	5.00	do do	Pat. Med.	31.00
	E.W. Hancock	Tavern	2500.00	A.J. Hogan	Liquor	190.00
	Jas. Wright	do	1200.00	do do	Merchandise	300.00
	I.B. Whittemore	Liquor	550.00			

I James Roberts Sheriff do certify that the above list is correct.

AUGUST TERM 1857

Sheff returns

cont-	2 Drovers at \$10 -	Horse Drivers \$20.00	one drove at	\$12.00
	4 do " \$12.50	50.00		

Musicians & Comic Singers \$10.00

	Supernumerary Taxes 1855 -		
R.B. Henderson	Valuation of land	\$221.	& 1 white Poll
Rachel Cox	do " "	\$12.	
Ony & Sally Belton	do 1855 & 56	\$100.	
Saml. Gann	do 1856	\$181.	
J.G.S. Weatherford	1856		1 white & 1 free blk Poll
C.D. Angel	1856		1 " Poll
E.Wade	do 1856 land	\$129.	1 " Poll & 1 black Poll

I James Roberts Sheff do certify that the above list is true

J. Roberts Sheff -

List of Insolvents & Removal on the Tax Book of 1856

Insolvents	W.P	Removals	WP.
Astin Baily	1	G.B. Brisindine	1
G.W. Evans	1	O.C. Calhoun	1
Bedford Stire	1	Claiburn Henly	1
W.H. May	1	G.W. Bason	1
Andrew Newnam	1	A.S. Dodson	1
Thos. Newnam	1	E.W. Oliver	1
Wm. Birchell	1	Emily Pritchett	1 S. Watch
Patrick Farmer	1	Thos. S. Southard	1
Peter L. Rickman	1	Pleasant Oakly	1
Wm. Rickman	1	Wm. Riddle	1
Wm. Jones	1	Wm. Long	1
James Jones	1	Libby York	remitted 1
James Nance	1	Wm. York	remitted 4.B.P.
John Hill	1	Lewis Wright	removed 1
John C. Reid	1	Baily Martin	1
Peter Stephens	1	John Roseberry	1 gold watch&1
		N.R. Wilkerson	1

I James Roberts Sheriff do certify that the above list is correct

J. Roberts Sheff.

List of Retailers for 1856

Robert M. Miller	Novr. 1856	\$20.00	J.M. Grogan	May 1857	\$30.00
A.J. Hogan	" "	20.00	M. Nolan	" "	30.00
I.B. Whittemore	Feby 1857	20.00	C.W. Harris	Aug. "	30.00
B.J. Law	May "	30.00	Hampton & Harris	" "	30.00

I James Roberts Sheff do certify that the above list is true

J. Roberts Sheff.

AUGUST TERM 1857

Clerks return Collateral Tax collected by **W.M. Ellington** Clerk of the County Court from the 1st of April 1856 to the 1st July 1857 – to wit –

On the Estate of Mary Dismukes	\$6717 at 1 pr. cent	\$67.17
On the Estate of Louiza L. Johnson formerly Louiza L. Wall	\$5695 at 1 per cent	56.95
On the Estate of A.G. Withers	3303 “ 1 pr. cent	33.03
On the Estate of R.T. Dismukes	1776 “ 1 pr. cent	<u>17.76</u>
		\$174.91
	Deduct Clks commissions on 3 pr. cent	<u>5.24</u>
	nett amount	\$169.67

I certify the above is a true account

Aug. Term 1857 –

W.M. Ellington C.C.

Received August 26th 1857 of **W.M. Ellington** Clerk of Rockingham County Court the sum of one hundred & sixty nine 67/100 in full of the Collateral Tax Collected by him from the 1st of April 1856 to the 1st July 1857 as appears by the foregoing account –

J. Roberts Sheff.

Jury Drawn

Jurors drawn for Superior Court Fall Term 1857 –

1. John Ayers	12. John Strong	23. Martin Clemmons	33. Miles D. King
2. Jas. M. Gunn	13. M.P. Roberts	24. Ulyses Hand	34. Saml. Chandler
3. Wm. Scott	14. Wm. Herbin Sr.	25. Wm. A. Walker	35. Isaac Bason
4. John Irvin	15. John T. Ellington	26. Hutchins Ferrell	36. Nathl. Allen
5. Thos. Roach Sr.	16. P.F. Webster	27. John Roberts Sr.	37. Jas. A. Vernon
6. George D. Boyd	17. Robertson Sanders	28. James Thacker	38. Frederick Friddle
7. Nicholas Felts	18. John M. Lindsay	29. Jas. A Sharp	39. Luther N. Ralls
8. Jas. H. Hall	19. Robt. Phillips	30. James Combs	40. Wm. Baughn
9. M.S. Black	20. T.J. Stubblefield	31. Wm. Herbin Jr.	41. J.H. Powers
10. John T. Thomas	21. Sullivan Pearson	32. Joel A. Gentry	42. Yancy H. Carter
11. Jas. Ratliff	22. J.B. Garrett		

Jurors drawn for County Court November Term 1857 –

1. Wm. S. Yors	10. John C. Loudon	19. Saml.S.B. Smith	28. Joseph Lastey
2. Robt. H. Scales	11. Wm. McCollum Sr.	20. Joseph Thacker	29. Jas W. McDaniel
3. Hiram M. Price	12. Jackson Powell	21. R.D. Harris	30. E.B. Vaughn
4. Wm. Smith	13. Jas. Bason	22. Henry Johnson	31. Alexr. Wray
5. J.B. Webster	14. Thos. Carter	23. Wm. C. Kemp	32. John W. Moore
6. Henry Carter	15. Alfred Walker	24. Pleasant Hopkins	33. O. Smallwood
7. Danl. H. Mosely	16. Anthony Benton	25. Robt. W. Dallas	34. R.G. Hopper
8. Henry Wade	17. Nichl. Dalton	26. Lemuel Vernon	35. Danl. McCollum
9. Thomas Price	18. J.Q. Montgomery	27. Thos. Jones	36. John Gunn

AUGUST TERM 1857

Deeds Proven

Deeds & C. proven and ordered to be Registered to wit –

	Deed	Joseph B. Wamack from M.C. Holderby & wife
	Deed	Thomas Settle from Afred M. Scales
	Deed	James A. Sharp from A. Sharp
	Deed	Phillip Simpson from Wm. Z. Richardson
	Deed Gift	Thos. W. Climer from Noah M. Climer
	Deed	Jones W. Burton from Saml. Smith
	Deed	Jones W. Burton from Rufus H. Smith
	Deed	Jones W. Burton from John M. Reynolds
	Deed	A.H. Webb from John Webb
	Obligation Bond	Coleman Brann from Thomas Moore
	Release	Coleman Brann from Thomas Taylor & others
	Deed	Hugh K. Reid from William Noles
	Deed	Joseph H. Price from Thos. D. Price
	Deed	Moses Lillard from Pleasant Ellington & wife
	Deed	Nicholas Martin from John H. Dillard C.M.E.
	Deed	Wm. S. Garrett from Martin Grogan
	Deed	Marenda Grogan & Martha Wade from Elisha Wade
	Deed	Massa Martin from John H. Dillard C.M.E.
	Deed	Wm. S. Garrett from Wm. D. Evans
	Deed Gift	R.L. Apple & Wife from Jane Murray
	Bill Sale	Jane P. Murray from Jane Murray
	Deed	Anderson Sharp from James A. Sharp & others
	Deed	Thomas J. Worsham from John Stacy
	Deed	Jacob Stallions from Margaret Jones
	Deed	James M. Stallions from Clerk & Master
	Deed Gift	Sarah J. Reynolds from Wm. Ferrell
	Deed	J.F. Clack from John G.A. Dick
	Deed	John W. Williams from Thomas Pearson
	Deed	Coleman Brann from Josiah F. Taylor
	Deed	Coleman Brann from A.G. Walker & T.B. Wheeler
Sept 10 th	Deed	Jno. W. Ellington Jr. from T.W. Keen
18th	Deed	R.M. Napier from L.B. Phillips
Oct. 1st	Deed	Eliza King from E.W. Hancock
	Deed	E.W. Hancock from Wm. King
20	Deed	Wm. M. Ellington from Lewis B. Phillips
Nov. 2nd	Deed	Sanford W. Lanier from Wm. F. Mills
	Deed	Jas. B. Norman from S.M. Reynolds
	Deed	Thomas Reynolds from John M. Reynolds
	Deed	Thos. M. Price from Rufus L. Wright
" 3rd	Deed	James Gant from Jno. H. Dillard C.M.E.
	Deed	John Y. Stokes from Hervey Moore
	Deed	Reason Waters from R.G. Waters
4th	Power atto.	Wm. M. Ellington from Peter W. Hay & wife

AUGUST TERM 1857

Novr. 4	Deed	B.H. Carter from R.A Holderby & Wife
Deeds contd	Deed	Henry Nance from R.G. Hopper
	Deed	Luther N. Ralls from George W. Peay
	Deed	James Bason from Jas. Roberts Sheff & Isaac Bason
	Bill Sale	Thomas Settle from Andrew Martin
Novr. 5th	Deed	James B. Douglas from Clement Smith
	Deed	Thomas Blackwell Jr. from Thos. Blackwell,, Sr.

1857

August 2	Deed of Trust & C. proven & ordered to be Registered to wit	
25 th	Deed Trust	Allen Price Trustee from Noah Joyce
28th	Deed Trust	F.D. King Trustee from James J. Travis
Sept. 4th	Deed Trust	J.M. Cox Trustee from Joshua T. Smith
17th	Deed Trust	R.H. Grogan Trustee from A.D. Barnes
Oct. 12 th	Deed Trust	David Joyce Trustee from Joseph Martin
13th	Deed Trust	Saml. Smith Trustee from Hardin Cox –
Novr. 3	Deed Trust	Orson Martin Trustee from W.K. Cox –
	Deed Trust	Thomas Hall Trustee from James B. Churchill
6th	Deed Trust	Alvis Daniel Trustee from Joseph W. Dickens

CALLED COURT NOVEMBER 1857

Called Court

State of North Carolina }
Rockingham County }

At a Called Court, begun and held in the Clerks Office in Wentworth on
the 3rd day of November 1857

Present

Wm. D. Bethell	}	
J.W. Neal	}	Justices
R. Walker Jr.	}	

It appearing to the Court that **William Fitzgerald** had died since the last term of this Court, and that he left no last Will and Testament, and that a portion of his Estate is liable to Waste.

It is therefore Ordered by the Court that Special letters of Administration on the Estate of said decd. be granted to **John T. Nance** who entered into bond in the sum of \$1200. with **Saml. P. Hill & E.M. Powell** as his sureties –

It is further ordered by the Court that the Administrator Sell upon a credit of six months, all the perishable property belonging to said Estate, after advertising according to Law.

Wm. D. Bethell
J.W. Neal
Ro. Walker Jr.

November Term 1857
Rockingham County Court Minutes

November Term 1857

Organization

State of North Carolina }
Rockingham County }

Be it remembered that at a Court of Pleas and Quarter Sessions, begun and held for the County of Rockingham, at the Court House in Wentworth, on the fourth Monday in November 1857, it being the 23rd day of the month –

Present on the Bench

Wm. D. Bethel	}	
Wm. Scott	}	Justices
David I. Rawly	}	
Allen Price	}	

When and where **James Roberts** Sheriff returned to Court the following list of Jurors Summoned to this Term To wit –

- | | | | |
|---------------------------|-----------------------------|-----------------------------|------------------------------|
| 1. Wm. S. Yors | 10. John C. Loudin | 19. Saml. S.B. Smith | 28. Joseph Lasley |
| 2. Robt. H. Scales | 11. Wm. McCollum Sr. | 20. Joseph Thacker | 29. Jas. W. McDaniel |
| 3. Hiram M. Price | 12. Jackson Powell | 21. Richd. D. Harris | 30. E.B. Vaughn |
| 4. William Smith | 13. Jas. Bason | 22. Henry Johnson | 31. Alexr. Wray |
| 5. J.B. Webster | 14. Thomas Carter | 23. Wm. C. Kemp | 32. John W. Moore |
| 6. Henry Carter | 15. A. Walker | 24. Pleasant Hopkins | 33. Orestes Smallwood |
| 7. Danl. H. Mosley | 16. Anthony Benton | 25. Robt. W. Dabbs | 34. Richard G. Hopper |
| 8. Henry Wade | 17. Nicholas Dalton | 26. Lemuel Vernon | 35. Danl. McCollum |
| 9. Thomas Price | 18. J.Q. Montgomery | 27. Thomas Jones | 36. John Gunn |

From among whom the following were drawn as Grand Jurors for this Term to wit

- | | | | |
|------------------------------------|----------------------------------|------------------------------|----------------------------|
| 1. Saml. S.B. Smith Foreman | | | |
| 2. Wm. McCollum Sr. | 6. Thomas Jones | 10. Richard D. Harris | 14. John B. Webster |
| 3. Henry Johnson | 7. William Smith | 11. Alexr. Wray | 15. Hiram M. Price |
| 4. Robert W. Dallas | 8. John C. Loutenschlager | 12. Anthony Benton | |
| 5. Orestes Smallwood | 9. Jas. W. McDaniel | 13. John W. Moore | |

Who after being Charged, and Officer **James D. Ellington** Sworn to attend them, retired to their room for the dispatch of business

When the following of the original pannell were called and answered to wit –
Thomas Carter, James Bason, Daniel McCollum, Richard G. Hopper, Jackson Powell, Henry Carter, Alfred Walker, Joseph Thacker, Pleasant Hopkins, Jas. Q. Montgomery, John Gunn and William S. Yors –

Probate of Wills

A paper writing purporting to be the last Will and Testament of **Isaac Wesson** decd is exhibited for probate in Open Court by **Alexander Wesson** the Executor therein names, and the due execution thereof by the said **Isaac Wesson** is proved by the Oath and examination of **George W. Martin** one of the subscribing witnesses thereto, It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and Testament of the said **Isaac Wesson** and the same is ordered to be recorded and filed –

A paper writing purporting to be the last Will and Testament of **Thomas T. Furguson** decd is exhibited for probate in open Court, and the due execution thereof is proved by the Oath and examination of **Nathaniel McKinney** one of the subscribing witnesses thereto, It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and Testament of the said **Thomas T. Furguson**, and the same is ordered to be recorded and filed. **James P. DeJarnette** the Executor named in said Will renounces his right to qualify, And thereupon **Julius A. Furguson** is appointed Administrator with the Will annexed of the said **Thomas T. Furguson** decd. who entered into bond with security according to Law, and qualified as such by taking the Oath required by law.

A paper writing purporting to be the last Will and Testament of **James McCollum** deceased is exhibited in open Court for probate by **William McCollum** and **Powhattan D. McCollum** the Executors therein named and the due execution thereof by the said **James McCollum** is proved by the oath and examination of **Robert Brown** and **George W. Miller** the subscribing witnesses thereto – It is therefore considered by the Court, that the said paper writing and every part thereof, is the last Will and Testament of the said **James McCollum**, and the same is ordered to be recorded and filed –

And thereupon the said **William McCollum** and **Powhattan D. McCollum** executors as aforesaid duly qualified as such by taking the Oath required by law

A paper writing purporting to be the last Will and Testament of **Margaret McElroy** is exhibited for Probate in open Court, And the due execution thereof by the said **Margaret McElroy**, is proved by the Oath and examination of **George W. Milloway** & **Hugh L. Patrick** the subscribing witnesses thereto. It is therefore considered by the Court, that the said paper writing and every part thereof is the last Will and Testament of the said **Margaret McElroy** decd. and the same is ordered to be recorded and filed –

And thereupon **Branch G. Chilcutt** is appointed Administrator with the Will annexed of the said **Margaret McElroy**, who entered into bond with security according to Law and qualified as such by taking the Oath required by law.

State Cases

State	} No. 2
Vs	} Defendants Pleads not guilty –
Henry C. Fuller	}
Isaac Whitworth	}

When comes the following Jury to wit – **Wm. S. Yors, Thomas Carter, Jas. Bason, Danl. McCollum, Richd. G. Hopper, Jackson Powell, Henry Carter, Alfred Walker, Joseph Thacker, Pleasant Hopkins James Q. Montgomery & John Gunn**, Who after being duly Sworn and empanelled for their Verdict say they find the Defendants both guilty in Manner and form as charged in the Bill of Indictment

It is considered by the Court that the Defendant **Isaac Whitworth** pay a fine of two dollars and **Henry C. Fuller** pay a fine of one dollar, and that they both be in custody of the Sheriff until the fines and costs are paid –

November Term 1857

State Cases Cont.

State }
Vs }
Robt. H. Courts}

William Sanders a witness for the State in this Case, being called and failed to appear. On Motion Judgment Ni, si, is granted against him and Sci Fa ordered to open –

State }
Vs }
Solomon Grubbs}

No. 3
Defendant Pleads not guilty
When comes the same Jury as in No. 2

Who after being sworn and empanelled for their Verdict say they find the Defendant Guitly in manner and form as charged in the Bill of Indictment –

It is Considered and adjudged by the Court that the Defendant pay a fine of one dollar & cost of suit to be Taxed by the Clerk, and that he be in the Custody of the Sheriff until the fine and cost are paid –

State }
Vs }
Isaac Whitworth}

Isaac Whitworth, Pinckney Hand and George Sharp Sr.
Confess Judgment for the sum of twenty five dollars to be discharged on payment of the fine and cost of this in this Case –

State }
Vs }
Solomon Grubb}

Solomon Grubb, Pinckney Hand and David M. Molloy Confess Judgment for the sum of twenty five dollars, to be discharged on payment of the fine and cost in this case –

State }
Vs }
Daniel Dugger}

The Defendant Submits –

It is considered and adjudged by the Court that the Defendant pay a fine of four dollars & cost of suit – and that he be in custody of the Sheriff until the fine and cost are paid –

Daniel Dugger and Thomas Hutchinson Confess Judgment for the sum of twenty five dollars to be discharged on payment of the fine and cost in this case –

State }
Vs }
Abel S. Washburn & }
Saml. A Garrett}

When comes the following Jury to wit – **David L. Wright, Thomas Carter James Bason, Danl. McCollum, Richard G. Hopper, Jackson Powell, Henry Carter, Alfred Walker, Joseph Thacker, Pleasant Hopkins, Jas. Q. Montgomery & James G. Rainy** – Who being duly sworn and empanelled for their Verdict say they find the Defendants both Guilty in manner and form as charged in the Bill of Indictment

It is adjudged by the Court that **Abel A. Washburn** pay a fine of Eight dollars and **Saml. A. Garrett** pay a fine of six pence and that they be in the Custody of the Sheriff until the fine and cost are paid –

November Term 1857

State Cases Cont.

- | | |
|--|---|
| <p>State }
 Vs }
 Creed T. Harvill}</p> | <p>The Defendant submits –
 It is Considered and adjudged by the Court that the Defendant pay a fine of six pence and cost of prosecution to be taxed by the Clerk –</p> |
| | |
| <p>State }
 Vs }
 A.N. Lowe & }
 Luther L. Lowe}</p> | <p>Defendants plead not guilty
 When comes the following Jury to wit – John Gunn, R.D. Hopper, Reece Price, James Morgan, Josiah F. Taylor, John McCollum, Rufus J. French, B.Y. Cummings, Saml. H. Boyd, John Robertson Jonathan Suits & Wm. Y. Thomas –
 Who after being duly Sworn and empanelled for their Verdict say they find the Defendants both guilty in manner and form as Charged in the Bill of Indictment –
 It is adjudged by the Court that the Defendant A.N. Lowe pay a fine of six pence and Luther L. Lowe pay a fine of six pence and both be in custody of the Sheriff until the fines and cost are paid –</p> |
| | |
| <p>State }
 Vs }
 Miles D. King}</p> | <p>Sally King a Witness for the State in this Case acknowledges herself indebted to the State of North Carolina in the sum of fifty dollars, to be condition she makes her personal appearance at the next term of this Court, to give evidence in behalf of the State in this case and does not depart therefrom without leave –</p> |
| | |
| <p>State }
 Vs }
 Abel S. Washburn}
 Saml. A. Garrett}</p> | <p>Abel S. Washburn & Saml. A. Garrett & James Roberts acknowledge themselves indebted to the State of North Carolina in the sum of fifty dollars each to be levied of their goods and Chattels lands and tenements, to be void on condition the Defendants in this case make their personal appearance at the next term of this Court, to answer a charge the State against them, and do not depart the same without leave –</p> |
| | |
| <p>State }
 Vs }
 Abel S. Washburn}
 Saml. A. Garrett}</p> | <p>A.N. Lowe and William McGeehee acknowledge themselves indebted to the State of North Carolina in the sum of \$50.00 each to be levied of their goods and Chattels lands and tenements, to be void on condition they make their personal appearance at the next term of this Court to give evidence in behalf of the State in this case, and do not depart therefrom without leave –</p> |
| | |
| <p>State }
 Vs }
 Abel S. Washburn & }
 Saml. A. Garrett}</p> | <p>Abel S. Washburn & Saml. A. Garrett acknowledge themselves indebted to the State of North Carolina in the sum of fifty dollars each to be levied of their goods and Chattels lands and tenements – to be void on condition they make their personal appearance at the next term of this Court to answer a charge the State against them and do not depart therefrom without leave –</p> |

Orphans Bound

Ordered by the Court that **Mary C. Barker** a Minor person of Color aged two years the 17th day of June 1857, be bound to **Margaret C. Stewart** until she arrives to the age of twenty one years, the said **M.C. Stewart** agreeing to give the said **Mary C. Barker** when of age one good bed & furniture and goods When the said **M.C. Stewart** entered into bond with security according to Law –

Ordered by the Court that **James R. Proctor** an Orphan aged thirteen years the __ day of February 1858, be bound to **David Mitchell** until he arrives to the age of twenty one years at which time the said **Mitchell** agrees to give him one hundred and five dollars, with a Common plain Education, and one bed and furniture –

Ordered by the Court that **John Proctor** and Orphan aged six years be bound to **George W. Stewart**, the said **Stewart** agreeing to give him a respectable Education and the sum of fifty dollars when he arrives to the age of twenty one years –

Ordered by the Court that **William A. Knight** an Orphan aged five years the 16th day of April 1857 until he arrives to the age of twenty one years, the said [William] **Neal** agreeing to give him a common Education, one good Suit of clothes and one hundred dollars when he arrives to full age –

Ordered by the Court that **Nancy A.R. Knight** an Orphan aged eight years the 12th of February 1867 be bound to **William Neal** until she arrive to the age of eighteen years that said **Neal** agreeing to give her a common Education One good bed & furniture and Common Clothing when she arrives to 18 years of age.

Seven Justices on the Bench

License to Retailers

On Motion it is ordered by the Court that License to retail Spiritous Liquors at the store for twelve months be granted to **Hiram Price** and **Jackson Ferrell** -

On Motion it is ordered by the Court that a License to retail Spiritous Liquors in the Town of Madison for twelve months be granted to **Isaac Fels** –

On Motion it is ordered by the Court that a License to retail Spirituous Liquors at his retail shop for twelve months be granted to **A.J. Hogan** –

Patrols Appointed

On Motion It is ordered by the Court that **Samuel T. Hopper**, **Phillip Gates** and **James Morgan** be appointed Patrol in the Leaksville district –

On Motion it is ordered by the Court that **E.B. Carter**, **Isaac Martin** and **Eppy P. Barnes** be appointed Patrol; in the Spring Garden District –

Leave to withdraw Papers

It is ordered by the Court that **B.H. Carter** have leave to withdraw his bond on **J.N. Cobb** from the Clerks Office by leaving a copy of the same in said Office –

Committees to Settle

On Motion it is ordered by the Court that **Tyre Carter** have until the next term to make settlement as Administrator of **John Barker** deceased, and that **Hardin Carter** and **B.S. Roberts** be appointed Commissioners to make said Settlement and that he be allowed five per cent on both sides of the account – and report to the next term of this Court –

On Motion **James Irvin** and **James D. Ellington** are appointed Commissioners to settle with **Alexr. M. Searcy** Executr of **James Oliver** decd. and that he be allowed two hundred dollars gross commissions on said Estate –

On Motion **James Irvin** and **James D. Ellington** are appointed Commissioners to settle with **Alexr. M. Searcy** Admr. of **William W. Williams** decd and that he be allowed five per cent on both sides of the account –

On Motion **Thomas Price** and **Hamilton Price** are appointed Commissioner to Settle with **Martin Grogan** Guardian of **Harvey Cobler**, and that he be allowed five per cent on both sides of the account, and that they report to the next term of this Court –

On Motion **Wm.B. Carter** and **J.M. Cox** are appointed Commissioners to Settle with **Alexr. M. Searcy** Administrator of **Samuel Oliver** decd. and that he be allowed five per cent on both sides of the account and that they report to the next term of this Court –

On Motion **William L. Scales** and **J.M. Cox** are appointed Commissioners to settle with **Valentine Allen & Nathaniel Allen** Exors. of **Saml. Allen** deceased, and that they be allowed three per cent on the account, and report to the next term of this Court –

On Motion **Jones W. Burton** and **George L. Aikin** are appointed Commissioners to settle with **John Strong** Guardian of **John Z. Lindsay**, and that he be allowed five per cent on both sides of the account and that they report to the next term of this Court –

On Motion **J.M. Cox** and **Valentine Allen** are appointed commissioners to settle with **James M. Scales & Joseph H. Cardwell** Exors. of **Fleming Goolsby** decd. and that they be allowed three hundred and twelve dollars commission on said Estate, and report to the next term of this Court –

On Motion **John H. Dillard** and **J.Q. Montgomery** are appointed Commissioners to settle with **James Wright** Guardian of **Mary E. Wall**, and that he be allowed five per cent on both sides of the account, and report to the next term of this Court –

On Motion **J.M. Cox** and **Milton Stamps** are appointed Commissioners to settle with **T.I. Robertson & A.P. Smith** Administrators of **John M. New** decd. and that they be allowed five per cent on both sides of the account, and report to the next term of this Court –

It is ordered by the Court that **R.D. Hay** Administrator of **Phillip T. Hay** decd. be allowed as Commissioners five per cent on the receipts and 2 ½ pr. ct. on the disbursements of said Estate –

November Term 1857

Civil Cases

Jesse H. Lindsey & C. }

Vs } Pleas Withdrawn

R.A. Holderby } Judgment according to Note filed for one thousand & forty five dollars

M.C. Holderby } of which sum one thousand dollars is principal Money –

Joseph Holderby }

John W. Smith } No. 14 –

Vs } Payment & set off –

James M. Grogan } Discontinued as to **John P. Grogan** –

John P. Grogan } When comes the following Jury to wit – **Samuel Boyd, Thomas Carter, James Bason, Daniel McCollum, Richard G. Hopper, Jackson Powell, Henry Carter, Alfred Walker, Joseph Thacker, Pleasant Hopkins, James Q. Montgomery & John Gunn**, Who after being duly sworn and empanelled for their Verdict say, they find the balance of the principal of the bond declared on after allowing the endorsed payment to be \$430.26 that there is no further payment or set off, and assess the plaintiff damages for interest to \$10.75 –

Judgment of the Court accordingly –

J.W. & R.A. Ellington } No. 15

Vs } Payment & set off

Richard Martin Jr. & Saml. & Nicholas Martin } When comes the same Jury as in No. 14, Who after being duly sworn and empanelled, for their Verdict say, they find the principal of the bond declared on to be \$206.00 that there is no payment or set off, and assess the Plaintiff damages by way of interest to \$16.98 –

Judgment of the Court accordingly –

William Fewell } No. 18

Vs } Payment & set off –

Pleasant M. Scales } When comes the same Jury as in No. 14 Who being duly sworn and empanelled for their Verdict say they find the principal of the bond declared on to be \$320.00 that they assess the plaintiff damages for balance of interest to \$15.20 after deducting the endorsed payment, and that there is no further payment or set off –

M.J. Black } Judgment of the Court accordingly –

John W.S. Lowe } No. 19

Vs } Payment and set off

Samuel A Garrett } When comes the same Jury as in No. 14, Who being duly sworn and empanelled, for their Verdict say they find the principal of the bond declared on to be \$750.44 that there is no payment or set off, and assess the plaintiff damages for Interest to \$55.63 –

William S. Yors } Judgment of the Court accordingly –

Civil Cases Cont.

- Thomas Blackwell}** No. 21
Vs } Payment and set off
- Raford Cole** } When comes the same Jury as in No. 14, Who after being sworn
John Stacy } and empanelled for their Verdict say they find the balance of the principal
Aaron W. Pool} of the Bond declared on to be \$2236.27 after allowing the endorsed
 payment, and assess the plaintiff damages for interest to \$97.25 and that
 there is no further payment or set off
 Judgment of the Court accordingly –
- Samuel Martin &}** No. 22
Nicholas Martin Exors} When comes the same Jury as in No. 14, who being sworn
Vs } and empanelled for their Verdict say they find the principal of the bond
Hamilton Martin &} declared on to be \$117.50 that there is no payment or set off and assess the
Joseph Martin} plaintiff damages for interest to \$4.70.
 Judgment of the Court accordingly –
- Nicholas Martin}** No. 23
Vs } Payment and set off –
- Hamilton Martin}** When comes the same Jury as in No. 14, Who being sworn and
 empanelled for their Verdict say they find the principal of the bond
 declared on to be \$240.00 that there is no payment or set off, and assess
 the plaintiff damages for interest to \$4.20
 Judgment of the Court accordingly –
- Samuel Martin &}** No. 24
Nicholas Exors} Payment and set off.
- Vs** } When comes the same Jury as in No. 14, Who after being duly
Hamilton Martin} sworn and empanelled for their Verdict say they find the principal of the
 bond declared on to be \$162.90 That there is no payment or set off, and
 assess the plaintiff damages for interest to \$9.77 –
 Judgment of the Court accordingly –
- Drury Smith assignee}** No. 26
Vs } Payment and set off –
- Guilliam McDaniel}** When comes the Same Jury as in No. 14 – Who after being sworn
 and empanelled for their Verdict say they find the balance of the principal
 of the principal of the bond declared on to be \$1572.82 that there is no
 further payment or set off, and assess the plaintiff damages for interest to
 \$78.64
 Judgment of the Court accordingly –
- Peebles & White assignees}** No. 28
Vs } Payment and set off –
- Green L. Brannock &}** When comes the same Jury as in No. 14. Who being sworn &
Daniel Dugger} empanelled for their verdict say they find the principal of the bond
 declared on to be \$101.71 that there is no payment or payment or set off,
 and assess the plaintiff damages for interest to \$5.76
 Judgment of the Court accordingly –

November Term 1857

Civil Cases Cont –

Martin Daniel }
Vs } Plaintiff Called and failed to appear – Non suit
Joseph Chambers } It is adjudged by the Court that the Plaintiff pay the cost of this suit.

Ryal Bowman }
Vs } Judgment by default final according to Specialty filed for \$179.70
John Stacy &} and \$13.45 for interest –
Thompson Brown }

Thomas Blackwell assignee }
Vs } Judgment by default final according to Specialty filed for \$225.89
James Bryan } principal money and \$34.44 for interest –
A.W. Pool & John Stacy }

R.D. Hay Adm }
Vs } Judgment by default final according to Specialty filed for \$104.84
Thomas Joyce} principal money and \$5.66 for interest –
Hamilton Martin }

Drury Smith }
Vs } Judgment according to Specialty filed for \$200.00 with interest
Joseph Martin &} from the 1st of January 1856 –
Saml. & N. Martin Exors }

Wm. D. Bethell }
Vs } Discontinued as to Walker
David Walker} Judgment by default according to specialty filed for \$142.15 balance of
Geo. W. Stubblefield} principal and \$16.34 for interest –
John Stacy }

Holderby & Son } Judgment by default final according to specialty filed for balance of
Vs } principal of \$114.29
Joel A. Motley }

James T. Simpson } The Judgment of the Justice confirmed and made the Judgment of this
Vs } Court for \$73.86 with interest from the 28th day of August 1857 former
John W. Wilson } cost 80 cts – Subject to a credit of \$27.29 Nov. 17th 1857 –

Dove & Co. } Judgment confessed for \$431.30 of which sum \$412.35 is principal
Vs } money –
Holderby & Son }

Civil Cases Cont –

Stokes & Co. }
Vs } Judgment by default final according to Specialty filed for the sum of
Holderby & Son} \$1542.73 principal Money and \$57.85 for interest –

J.W. McKinney}
Vs } Judgment final according to Specialty filed for \$406.06 principal
Joseph Holderby} Money and \$20.89 for Interest –

Reports on Petitions

William Moore & others} Petition for Distribution.
by their Guardian} This Cause coming on for further order and directions, It is
Vs } ordered, that it be referred to Alfred Reid as Commissioner to take an
Ro. Walker Jr. & } account of the personal Estate and effects of **Samuel Moore** deceased,
Wilson D. Moore Exors} which came or ought to have come into the hands of **Robert**
of Saml. Moore decd} **Walker Jr. and Wilson D. Moore**, the Executors to his Will, and that he
 report to the Court now sitting -

Now this Cause coming on to be finally heard, upon the Petition
 filed, the Orders, and direction heretofore taken in the Cause, and the
 report of Commissioner **Reid** filed at this Term, and there being no
 exception to Said report – it is ordered that the Same be in all things
 Confirmed, and that **Wilson D. Moore** one of the Executors retain in his
 own hands, the sum of \$508.57 in full of his share, and that **Robert**
Walker Jr. and said **Wilson D. Moore** pay over to **P.R. Wharton**
 guardian of **William Moore** the sum of \$1058.57 for his said Ward, and
 likewise pay to said **Wharton** as Guardian of **David Moore** the sum of
 \$1308.57 for said **David** his Ward, and it is further ordered that said
Walker & W.D. Moore pay over to **William M. Ellington** as Guardian
 of **Julia Moore** \$1508.57 the Share of his Ward **Julia**, and also to pay to
 him to sum of \$1508.57 as the share of his Ward **Rosannah Moore** –

Ordered by the Court that the said **Robert Walker** and **Wilson D.**
Moore pay the Cost of this suit, and retain therefore one fifth of the
 amount from the share of each, above decreed to them –

For Statement of Exors account See Settlement Book E page 81 –

Wm. Scott & others} Petition for Partition
Vs } Report of Commissioners files and Confirmed, It is ordered by the Court
Andrew Scott & others} that the Commissioner proceed to collect the purchase money when
 due –

For report See Inventory Book H, page 251

Saml. & Nicholas Martin} Petition to sell Slaves
Exors of A. Martin decd } Report filed and conferment & ordered to be enrolled
Ex Parte } Petitioner to pay cost
 For report See Inventory book H page 251

Report of Confirmed Cont.

Spencer Kallam & Winston Kallam Exors } Petition for Settlement –
Vs } The Clerk of this Court to whom it was referred to take an
Horation Kallam & Others } account of the Administration of the Estate of **William Kallam** decd. by
Spencer Kallam & Winston Kallam the Administrators thereof, having
filed his report, and there being no Exceptions thereto, It is ordered that
the same be in all things confirmed, and that the Clerk be allowed for
taking said account The sum of \$23.74 – to be Taxed in the Bill of cost,
And this cause coming on now to be heard upon the papers formerly read,
and the orderes heretofore made, and the report of the Clerk aforesaid, It is
ordered adjudged & decreed that **Spencer Kallam** one of the
Administrators retain \$3341.21 ½ in full of his distributive Share, and that
Winston Kallam the other Administrator retain \$3461.45 in full of his
Share, It is further ordered adjudged and decreed that **Horation Kallam**
recover against the said **Spencer & Winston Kallam** Administrators as
aforesaid \$32.39.20 ¼ in full of his Share, and that **Walker Smith,**
Charles Smith, Thomas Smith, Washington Smith, & his wife Polly,
Robert Scales & his wife Ann, James David and his Wife Edney,
Matilda Martin & William Martin, John Martin and Spencer Martin
recover against the Said Administrators, each the sum of \$318.77 and that,
Executionns issue for the said several sums against **Spencer Kallam &**
Winston Kallam as Administrators of **Wm. Kallam** decd. when applied
for, It is ordered by the Court that the cost of this cause including the
allowance to the Clerk for taking the account, be paid one fourth by
Spencer Kallam, one fourth by **Winston Kallam,** one fourth **Horation**
Kallam, and the other fourth by **Walker Smith, Thomas Smith, Charles**
Smith, Washington Smith & his wife Polly, Robert Scales & his wife
Ann, James David & his wife Edney, Matilda Martin, William Martin,
John Martin, & Spencer Martin –

John J. Joyce & others }
Ex Parte } Petition for Partition of Land
The Commissioner appointed at the last term of this Court to divide the
Lands Specified in the petition having filed their report, and the division
made by them appearing to be just and equal, the said report is in all things
Confirmed, and it is ordered that said report be Certified by the Clerk of
this Court & enrolled in his office, and that it be also Registered in the
Registers Office of Rockingham County, And it appearing that said
Commissioners in their said report have charged the more Valuable
dividends

Reports Cont.

with certain sums to be paid to the dividends of inferior Value respectively, for equality of Partition as follows, that is to say, the Share allotted to **John J. Joyce** with \$120 in favor of the Share of **Robert Joyce**, and with \$2.00 in favor of the Share of **Drury Joyce**, and the Share allotted to **Alexander Joyce** with \$73. in favor of the Share of **Drury Joyce**. It is ordered and adjudged that the said several sums with interest thereon from this Term be paid out of the said Charge upon which they are respectively charged in said report and that the same be paid to the parties respectively entitled as aforesaid –

It is further ordered that writs of Venditioni Exponas' be Secured as to the Said sums of Money with the exception of the sum of \$73. Charged upon the share of **Alexander Joyce**, who is an infant, and as to the sum of \$73. no Execution is to issue against the said Share until the said **Alexander** shall arrive to the age of twenty one years –

It is further ordered that the cost of this suit be taxed by the Clerk be paid by the parties in proportion to their respective interest in the land dividend, and that Execution issue accordingly –

State of North Carolina }

Rockingham County }

We the undersigned Commissioners being appointed to divide and make partition of the lands of **Noah Joyce** decd. amongst the heirs at law, who are **John J. Joyce, Drury P. Joyce, Alexander Joyce & Robert R. Joyce** and after having been duly sworn proceeded to make the following division to wit –

Lot No. 1 Is appropriated to **Robert Joyce** containing 58 acres of land Valued at (\$406.00) four hundred six dollars and bounded as follows, Beginning at Box Elder Standing on the bond of Buffaloe Island Creek; running East 53 poles to a rock, North 175 poles to a Sourwood, West 53 poles to a Spanish Oak, South 175 poles to the beginning –

Lot No. 2 Is appropriated to **John J. Joyce** containing 65 acres of land Valued at (\$650.) six hundred & fifty dollars and bounded as follows, beginning at a rock corner of No. 1 North 175 poles to a Sourwood, East 665 poles to a Chesnut South 175 poles to a persimmon on the East bank of the Creek, West 65 poles to the beginning –

Lot No. 3 Is appropriated to **Drury P. Joyce** containing 113 acres of land Valued at (\$452.) four hundred and fifty two dollars, and bounded as follows beginning at a persimmon Corner of No. 2 North 175 poles to a chesnut, East 105 poles to a Rock; South 175 poles to a Rock, West 105 poles to the beginning –

Lot No. 4 Is appropriated to **Alexander Joyce** Containing 100 acres of Land Valued at (\$600) six hundred dollars, and bounded as follows, Beginning at a Rock Corner of No. 3, North 175 poles to a Rock, East 98 poles to a black Oak, South 175 poles to a Sourwood, West 94 poles to the beginning –

Lot No. 2 pays to Lot No. 1 \$121.00

Lot No. 2 pays to Lot No. 3 \$ 2.00

Lot No. 4 pays to Lot No. 3 \$ 73.00

All of which is respectfully submitted, under our hands and seals this 13th day of November 1857

Peter Scales S.R.C.

Tyre Carter (seal)

Henry Barnes(seal)

J.C. Carter (seal)

November Term 1857

Overseer to of Roads

No. 143 **Joseph Abbott** is appointed overseer of the road from Eagle Falls to the Smothers old Cabin place with the hands belonging to **Mrs. Gallaway & Mrs. Carter** at Eagles Falls –

No. 136 – **J.B. Garrett** is appointed overseer of the road from Hogans Creek to the Madison forks with the following hands – to wit – **Isaac N. Hands** hands, **T.S. Gallaways** hands, **James Hall**, **R. William**, **George Smith**, **Wm. Duncan**, **Wm. Del Martin**, **T.R. Williams**, **Dr. W.W. Oliver** 2 hand, **Garland Pratt & George Pratt**

No. 147 – **James F. Harris** is appointed Overseer of the road from Grassy Spring to Spring Garden with the following hands to Wit – **James Thomas Sr.** hands, **Wm. Y. Thomas**, **Tyre Carters** hands, **Jackson Carter**, **Hiram Gibson**, **J.Q. Roberts**, **Frank Talley**, **Mrs. Barkers** hands **John Grogan**, **Anderson Solomon**, **John Irvin**, & **Joseph Black** –

Allowances

It is ordered by the Court that **Dr. A.B. Johns** be allowed ten dollars for visit and examining the dead body of **Maria Fisher** and that the County Trustee pay the same –

It is ordered buy the Court that **James A. Jones** be allowed \$4.75 for arresting & conveying **Thomas Baily** to Jail, and that the County Trustee pay the same –

It is ordered by the Court that **Thomas D. Price** be allowed \$3.50 for arresting and conveying **Nathaniel Hill** to Jail and that the County Trustee pay the same –

Miscellaneous

It is ordered by the Court that the Overseer **N.G. Dabbs** of the road over Troublesome Creek at the old Iron Works, lay off and Establish a New Road by the new Bridge in precede accordance with the place and report is on file in the Clerks Office and report to the next Term of this Court

It is Ordered by the Court that the Clerk correct the Tax list of **A.M. Sceaux** by Striking out the \$4000. given in for Tax, also by Striking out the Carriage Shop Materials –

State of North Carolina} To the Worshipful the Justices of the Court of Pleas
Rockingham County } and Quarter Session for the County and State aforesaid

Your Petitioner **Henry Mason** a free Man of Color, respectfully sheweth unto your Worships that he is a free Man of Color, born and raised in the said County of Rockingham where he had resided all his life, as is known to some if not all of your Worships, that he desires to remove from North Carolina & to go to and Settle in the State of Ohio And to the end that he may pass without arrest, and to the satisfaction of all people he prays your Worships to prepare and furnish to him his necessary free papers, and as in duly bound he will ever pray

his mark (X) **Henry Mason**

The foregoing Petition of **Henry Mason** having been presented and read to the Court, on Consideration thereof, and upon the affidavits of Witnesses as the inspection of the Court, It is Ordered that the Clerk of this Court make a record of the following parts, that said **Henry Mason** is a free man, and descended from free parents, that he is about forty years of

November Term 1857

age and was born and raised in our said County of Rockingham, and he has lived in said County all his life, that he is a out five foot five inches and & in quarter high, is of black color and Knock Kneed, is slow of speech & not very intelligent, and when excited stammers a little, has Scar of burn of left arm near Elbow -

It is ordered further by the Court, that the Clerk of this Court make out a copy of the record under his hand and seal of the Court, and furnish the same to the said **Henry Mason** -

It is ordered by the Court that **James Roberts** Sheriff be allowed \$12.50 for candles, wood &c. furnished the Court for the past year -

Administrators appointed On Motion **Allen Price** is appointed Administrator on the Estate of **Elizabeth Moore** decd. who entered into bond in the sum of \$368.20 with **Samuel Smith** and **Reese Price** as his sureties, and qualified by Taking the oath required by Law -

On Motion **Nathaniel Scales** is appointed Administrator on the Estate of **Patterson F. Galliher** deceased - Who entered into bond in the sum of \$36,000.00 with **Richard H. Scales** and **Joseph H. Cardwell** as his securities and qualified by taking the Oath required by law.

On Motion **Robert Walker Jr.** is appointed Administrator on the Estates of **William Walker** deceased who entered into bond in the sum of \$1500.00 with **Alfred Reid** & **Wilson D. Moore** as his sureties, and qualified by taking the Oath required by law.

On Motion **Robert Walker Jr.** is appointed Administrator on the Estate of **Thomas B. Walker** deceased Who entered into bond in the sum of \$1500. - with **Alfred Reid** and **Wilson D. Moore** as his sureties and qualified by taking the Oath required by Law.

On Motion **John T. Nance** is appointed Administrator on the Estate of **William Fitzgerald** decd who entered into Bond in the sum of \$1200. with **A.H. Webb** & **Wm.R. Neal** as his sureties, and qualified by taking the oath required by law -

On Motion **Pleasant Hopkins** is appointed Administrator on the Estate of **Mary Christopher** who entered into bond in the sum of \$1000. with **J.Q. Montgomery** & **Wm. Scott** as his sureties and qualified by taking the oath required by law -

On Motion **Blanch G. Chilcutt** is appointed Administrator on the Estate of **Nancy McElroy** deceased who entered into bond in the sum of \$500. - with **George W. Milloway** and **Pleasant Hopkins** as his sureties, and qualified by taking the Oath required by law.

On Motion **Jones W. Burton** is appointed Administrator with the Will annexed of **B.W. Aikin** deceased, who entered into bond in the sum of \$10,000. with **Wm. N. Mebane** and **A.L. Ward** as his sureties, and qualified by taking the oath required by law -

November Term 1857

Guardians appointed

On Motion **Jones W. Burton** is appointed Guardian to **Martha A., Joseph H., Mary S., Sarah F. and Lucy E. Lane** who entered into bond in the sum of \$20,000.00 with **Thos. D. Price, Saml. Smith, Richd. H. Scales & John Strong** as his sureties –

State } Bastardy –
Vs } The Defendant came into Open Court & confessed
Wm. W. Whittemore } Judgment for the cost and Entered into bond in the sum of \$300 – with **Wm. S. Yors** as his security to provide for the support and Maintenance of a Bastard Child begotten on the body of **Jane Baker**.

Decrees Petitions

Rebecca Roper } Petition for Dower
Vs } In this cause it appearing to the Satisfaction of the Court,
Randal Roper & } that the order of Publication Made at the last term of this
Others } Court, as to **Randal Roper Benjamin Roper, James Roper, Elvira Craddock, Nancy Howlett, Sally McKim and Polly Nettles**, has been Complied with, and they still failing to appear and plead answer or demur, to the Petition filed, It is ordered by the Court that the Allegations thereof be taken pro Confesso and heard Ex Parte as to them –

And now, this Cause coming on to be heard on the Petition the pro Confeso Order aforesaid and the argument of counsel, on Consideration therefore it is Ordered by the Court that a writ be issued to the Sheriff of Rockingham County, Commanding him to summons a Jury to allot to **Rebecca Roper** the Petitioner her Dower in the lands of her late husband **Charles Roper**, which Lands are described in her Petition, according to the act of the General Assembly in such Case made and provided –

Rebecca Roper } Petition for distribution &c.
V } In this case it appearing to the Satisfaction of the Court that
C.L. Glenn Admr } the Order of Publication awarded at the last term of this
of Charles Roper } Court, as to **Randal Roper, Benjamin Roper, James Roper, Elvira Craddock, Nancy Howlett, Sally McKim & Polly Nettles** has been complied with and they still failing to appear and answer, plead or demur to the Petition, it is ordered that the Petition be taken Pro Confeso, and be heard Ex Parte as to them –

The answer of **Chalmers L. Glenn** Administrator of **Charles Roper** filed –

Now this cause Coming on to be heard on the Petition, the Pro Confeso Ordered aforesaid, and the answer of **Chalmers L. Glenn** the Administrator of **Charles Roper** deceased on Consideration thereof, and it appearing to the Court that the Administrator is satisfied of the Slaves in the Petition Mentioned and is willing and ready to make distribution thereof according t Law, It is Ordered by the Court that **James G. Rainy, Romulus Boswell** and

November Term 1857

Decrees Cont.

F.B. Moore, free holders be and they are hereby appointed Commissioners to divide the Slave named in the Petition, into two equal parts, and to allot to the Petitioner **Rebecca Roper** one half thereof, and that they report their proceedings to the next term of this Court –

Ordered that it be referred to **Wm. M. Ellington** Clerk of this Court as Commissioner to take an account of the Personal Estate and effected of **Charles Roper** decd which come or ought to have come into the hands of **Chalmers L. Glenn** his Administrator and also an account of the debts and funeral expenses of the said intestate, and report to the next term of this Court –

John J. Joyce } Petition for Partition o Slaves -
& others } On Motion the following freeholders **John Strong, Tyre**
Ex Parte } **Carter**, and **W.R. Strong** are appointed Commissioners to divide the Slaves named in the Petition into five equal parts, and to allot to each of the Petitioners **John J. Joyce, Drury Joyce, Alexander Joyce, Robert Joyce** and **Nancy Joyce** a share thereof in severalty, and to report their proceedings in due form of Law to the next term of this court –

Elizabeth J. Fitzgerald } Petition for Partition of Slaves –
Ex Parte } On Motion it is ordered by the Court that **Robert Walker Jr. Esq. Alfred Reid, Wm. P. Williams** and **Thomas Smith** be appointed to lay off and assign to the Petitioner **Elizabeth Fitzgerald** one years allowance –

Nathan J. Massey Admr } Petition to sell Slaves
of Angeline W. Winchester } It is ordered by the Court that the Petitioner
Ex Parte } proceed to sell the Slaves Mentioned in the Petition upon a credit of six months and take bond with approved security for the purchase Money and report to the next Term, that he advertise the time and place for thirty days in four or more public places –

Drury Smith Admr } Petition to sell Lands-
Of Judy Brannon } It is ordered by the Court that **Wm. M. Ellington** the Clerk
Vs } of this Court be appointed Guardian Pendente lite for the
Elizabeth Brannon } Defendant **Elizabeth Brannon** –
 Answer of Defendant filed –
 Cause set for hearing upon Petition and Answer –
 This Cause Coming on to be heard upon the Petition and answer, the Court doth declare, that it is necessary that the Tract of land set forth in the pleadings be sold for the Satisfaction of debts against the estate of the Intestate –

It is therefore Considered and ordered by the court that the Petitioner **Drury Smith** as Administrator of **Judy Brannon** decd proceed to sell the Tract of land set forth, on the premise on a credit of six months that he advertise the time and place of Sale for twenty days in

November Term 1857

Decrees
cont.

five or more public places, that he take bond with approved security payable to himself as Administrator, reserve the bills until the further order of the Court, and report to the next term –

Polly Galliher}
Ex Parte }

Petition for Dower

It is Ordered by the Court that **Wm. M. Ellington** be appointed Guardian Pendente lite for the infant **Laura Galliher** –

On Motion it is Ordered by the Court that a writ be issued to the Sheriff of Rockingham County Commanding him to Summon a Jury to allot to the Petitioner her Dower in the lands of her late husband **P.F. Galliher** which said Lands are described in her Petition, according to the act of the Assembly in such Cases made and provided –

Polly Galliher}
Ex Parte }

Petition for years allowance –

On Motion **Nathaniel Dodd** a Justice of the Peace and **William B. Carter, Rawly Gallaway** and **Dr. Robert Gallaway** are appointed Commissioners to View the Estate of **Patterson F. Galliher**, and to allot and set apart to his Widow **Polly Galliher** so much of the Crop, stock and provisions as may be adequate to the support of herself and family for one year, and if there Shall not be a sufficiency on hand for such an allowance, the to assess the deficiency in money, said Commissioner to report to the next term of this Court under their hands and Seals –

Jurors
drawn

Jurors drawn for February Term 1858 to wit –

- | | | | |
|-------------------------|-----------------------|-----------------------|----------------------|
| 1. Pinkney Chambers | 10. Zachariah Groom | 19. Walter B. Johnson | 28. Starky Smith |
| 2. James Mitchell | 11. Abram Baker | 20. John Young | 29. Charles Joyner |
| 3. Henderson Brisendine | 12. Saml. Richardson | 21. B.F. Witty | 30. Coleman Brann |
| 4. Avery Baker | 13. Phillip Pratt | 22. Granville Price | 31. Wm. R. Cabiness |
| 5. John French | 14. Gabriel Cardwell | 23. James McCollum | 32. A.L. Ward |
| 6. Wm. P. Saunders | 15. Allen Kallam | 24. Thos. W. Field | 33. M.S. Carter |
| 7. John Winchester Sr. | 16. Sidney Witty | 25. John Pritchett | 34. Jas. T. Reynolds |
| 8. Robt. Brown | 17. Henry J. McGeehee | 26. Wm. McCollum Sr. | 35. Geo W. Martin |
| 9. Isaac Cummings | 18. B.Y. Cummings | 27. James Barnes | 36. David Price |

Jones W. Burton Admr}
of Daniel Arney decd}
Ex Parte }

Petition to sell Slaves

Report filed and Confirmed and ordered to be Enrolled and that the Admr. pay cost

For Report See Inventory Book H. page 252

November Term 1857

Settlements Returns

- Settlement with **Ebenezer Carter** Admr. of **Andrew S. Williams** decd. returned
- Settlement with **Wm. D. Bethell** Admr. of **Benjamin Sadler** decd returned -
- Settlement with **Alexr. M. Searcy** Admr. with the will annexed of **James Oliver** decd returned -
- Settlement with **Richard N. Lowe** Admr. of **Henry King** decd. returned -
- Settlement with **Danl. E. Guerrant** Exor. of **Sarah Stubblefield** decd. returned -
- Settlement with **Alexr. M. Searcy** Admr. of **William W. Williams** decd. returned -
- Settlement with **Robert Walker Jr.** Admr. of **A.M. Whitsett** who was Guardn. of **Sarah** and **Mary Whitsett** returned -

Guardian Returns

- Jones W. Burton** Guardiam of **Jane H. Lane** & others Made his return -
- Mary D. Wray** Guardian of her Children (**Albert** & others) made her return -

Inventories & Sale lists returned

- Inventory of the Estate of **Martha F. Wright** returned by **W.L. Wright** Admr.
- Additional Inventory of the Estate of **Ruth Jones** decd returned by **A.G. Walker** Admr. -
- Sale list of the property of **Ruth Jones** decd. returned by **A.G. Walker** Admr. -
- Inventory of the property of **Jane Williams** decd. returned by **Ezekiel Wheeler** Admr. -
- Additional Inventory of the Estate of **John M. New** decd returned by **T.I. Robertson** Admr. -
- Inventory of personal Estate of **Thomas Settle** decd. returned by **D.S. Reid & Thomas Settle** Exors. -
- Inventory & account of Sales of the property of **Isaac Wesson** decd. returned by **Abram Dilworth** Exor. -
- Sale list of the property of **Judy Brannon** decd. returned by **Drury Smith** Admr. -

November Term 1857

Deeds & C.

Proved	Deed – John W. Montgomery from Joseph Blackwell & wife Sarah
	Deed – Wm. P. Watt from Joshua Mitchell & wife
	Deed – A.M. Scales Jr. from William Whiten
	Deed – A.J. Ferrell & H.M. Price from Stacy & Benton
	Deed – B.F. Carter from Jackson & Washington Carter
	Deed – A.G. Rakestraw from James W. Davis and wife
	Deed – A.N. & L.L. Lowe from G.L. Lowe
	Deed – Wm. Neal from John Holt
	Deed – John T. Ellington from John Lillard
	Deed – Lowes from Wm. Ponton

Marriage Contract, Isaac Wesson & Frances Robertson

Deed –	Guilliam McDaniel & Berry D. Moore from Wm. Anglin
Deed –	Green Daniel Esq. from Green Daniel Jr.

1857 Deeds & C. proven out of Term time & Ordered to be Registered

Nov.	28 th	George W. Lewis Trustee from William H. Tucker	Deed Trust
		George W. Lewis Trustee from Andrew J. Barker	Deed Trust
Dec.	3	Jesse T. Leftwich Trustee from Jetson J. Astin	Deed Trust
	8	Jas. D. Ellington Trustee from Theophilus M. Cole	Deed Trust
	9	Jas. D. Ellington Trustee from Theophilus M. Cole	Deed Trust
	11	Jeffrey T. Bartee from John H. Dillard C.M.E.	Deed
	17	John Moir Trustee from Lewis & Brother	Deed Trust
	23	John M. Lillard from Nancy E. Ellington	Deed
	26	A.H. Webb from Jeffrey T. Bartee	Bill Sale
		Wm. Ellington from John T. Bartee	Deed

1858			
January	11	W.H. Bartee from A.H. Webb	Bill Sale
		Keren V. Bartee from R.D. Barter	Bill Sale
	13 th	John W. May Trustee from N. Roberts	Deed Trust
	14	George W. Lewis Trustee from Wm. A. Brisendine	Deed Trust
	18	George W. Harris Trustee from Robertson & Thore	Deed Trust
Feb'y	4 th	George W. Lewis Trustee from Isaac H. Martin	Deed Trust
	22	John H. Boyd Trustee from Robert G. Coe	Deed Trust

November Term 1857

Resignation of Justices

Thomas W. Keen	res.	Nov.30, 1857
John Ayers	"	4 Dec 1857

End of Court Minutes for the year 1857

**1857 Court of Pleas and Quarter Sessions
Rockingham County, NC
SLAVE INDEX**

Name	Page	Owner	Transferred/New Owner
Aaron	18	Hay, Phillip T.	Wall, Mary A.
Ady	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Albert	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Alexander	59	Whitsett, Alfred M.	Whitsett, Sarah
America	17	Hay, Phillip T.	Hay, Nathaniel M.
Amos	59	Whitsett, Alfred M.	Whitsett, Sarah
Anderson, Big	20	Allen, Joseph	Allen, Elizabeth
Anderson, Little	20	Allen, Joseph	Manly, Rufus
Andrew	17	Hay, Phillip T.	Hay, Sarah E.
Andy (infant)	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Angeline	20	Allen, Joseph	Thacker, Larkin
Ann	59	Whitsett, Alfred M.	Whitsett, Sarah
Ann	17	Hay, Phillip T.	Hay, Pleasant A.
Anna	18	Hay, Phillip T.	Hay, Phillip T.
Arch	17	Hay, Phillip T.	Hay, Nathaniel M.
Beck	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Betey	17	Hay, Phillip T.	Hay, Elizabeth
Betsey	98	Neal, Nancy Mrs.	Howard, Mrs.
Bob	18	Hay, Phillip T.	Hay, Randall D.
Buck	20	Allen, Joseph	Allen, Elizabeth
Caroline	17	Hay, Phillip T.	Hay, Elizabeth
Caroline	18	Hay, Phillip T.	Hay, Phillip T.
Caroline	59	Whitsett, Alfred M.	Whitsett, Sarah
Chana	17	Hay, Phillip T.	Hay, Margaret L.
Charles	98	Neal, Nancy Mrs.	Howard, Mrs.
Charlotte	19	Lomax	Lomax, ALbert
Clara	18	Hay, Phillip T.	Hay, William P.
Daniel	98	Neal, Nancy Mrs.	Harris, Mrs.
Dave	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Demarias	59	Whitsett, Alfred M.	Whitsett, Sarah
Dick	17	Hay, Phillip T.	Hay, Margaret L.
Dick	59	Whitsett, Alfred M.	Whitsett, Sarah
Eliza	17	Hay, Phillip T.	Hay, Elizabeth
Eliza	20	Allen, Joseph	Allen, Elizabeth
Elizabeth	15	Henniss, Mildred	Joyner, Charles
Elizabeth	17	Hay, Phillip T.	Hay, Elizabeth
Emeline	17	Hay, Phillip T.	Hay, Nathaniel M.
Emily	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Esther	18	Hay, Phillip T.	Hay, Peter W.
Eve	17	Hay, Phillip T.	Hay, Sarah E.
Fanny	20	Allen, Joseph	Thacker, Larkin
Frances	59	Whitsett, Alfred M.	Whitsett, Sarah

**1857 Court of Pleas and Quarter Sessions
Rockingham County, NC
SLAVE INDEX**

Name	Page	Owner	Transferred/New Owner
Franklin	20	Allen, Joseph	Allen, Elizabeth
Gabriel	18	Hay, Phillip T.	Hay, Peter W.
George	17	Hay, Phillip T.	Hay, Elizabeth
George	20	Allen, Joseph	Died before 02/1857
George	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Granderson	20	Allen, Joseph	Allen, Elizabeth
Granville (infant)	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Hannah	18	Hay, Phillip T.	Hay, Peter W.
Harriet (infant)	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Harriett	20	Allen, Joseph	Neal, William R.
Harry	57	Wilson, Elijah	Nobles, William Jr.
Henry	17	Hay, Phillip T.	Hay, Elizabeth
Henry	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Henry	98	Neal, Nancy Mrs.	Harris, Mrs.
Henry, Jr.	18	Hay, Phillip T.	Hay, William P.
Isaac(k)	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Isabella (infant)	59	Whitsett, Alfred M.	Whitsett, Sarah
Jackson	20	Allen, Joseph	Allen, Elizabeth
Jane	20	Allen, Joseph	Swepson, George W.
Jane	98	Neal, Nancy Mrs.	Neal, Nancy Miss
Jane	98	Neal, Nancy Mrs.	Neal, Nancy Miss
Jane, Little	20	Allen, Joseph	Neal, William R.
Jerry	17	Hay, Phillip T.	Hay, Pleasant A.
Jim	17	Hay, Phillip T.	Hay, Margaret L.
Jim	59	Whitsett, Alfred M.	Whitsett, Sarah
John	17	Hay, Phillip T.	Hay, Sarah E.
John	18	Hay, Phillip T.	Hay, Randall D.
John	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Joseph	17	Hay, Phillip T.	Hay, Nathaniel M.
Judy	20	Allen, Joseph	Allen, Elizabeth
Julian	20	Allen, Joseph	Morris, E.S.
Julius	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Kate	17	Hay, Phillip T.	Hay, Pleasant A.
King	18	Hay, Phillip T.	Wall, Mary A.
Lafayette	18	Hay, Phillip T.	Hay, Peter W.
Laura	94	Scott, O.M.	Young, Margaret
Levi	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Lizzie	20	Allen, Joseph	Morris, E.S.
Lucinda (infant)	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Lucy	17	Hay, Phillip T.	Hay, Margaret L.
Mabel	18	Hay, Phillip T.	Hay, Phillip T.
Malissa	98	Neal, Nancy Mrs.	Simpson, Mrs.
Margaret	59	Whitsett, Alfred M.	Whitsett, Sarah

**1857 Court of Pleas and Quarter Sessions
Rockingham County, NC**

SLAVE INDEX

Name	Page	Owner	Transferred/New Owner
Maria	17	Hay, Phillip T.	Hay, Pleasant A.
Maria	18	Allen, Joseph	Wall, Mary A.
Mariah	20	Hay, Phillip T.	Morris, E.S.
Martha	18	Hay, Phillip T.	Hay, Phillip T.
Martha	19	Lomax	Lomax, Hamilton P.
Martha	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Martin	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Mary	20	Allen, Joseph	Allen, Elizabeth
Mary	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Matilda	59	Whitsett, Alfred M.	Whitsett, Sarah
Milly	17	Hay, Phillip T.	Hay, Margaret L.
Molly	20	Allen, Joseph	Allen, Elizabeth
Molly	20	Allen, Joseph	Allen, Elizabeth
Moses	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Nancy	18	Hay, Phillip T.	Wall, Mary A.
Nancy	18	Hay, Phillip T.	Hay, Randall D.
Ned	20	Allen, Joseph	Fowler, Owen C.
Patcy	17	Hay, Phillip T.	Hay, Margaret L.
Patrick	17	Hay, Phillip T.	Hay, Margaret L.
Permetia (infant)	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Peter	18	Hay, Phillip T.	Hay, Phillip T.
Phebe	20	Allen, Joseph	Thacker, Larkin
Polly	19	Lomax	Lomax, Albert
Polly	59, 60	Whitsett, Alfred M.	Whitsett, Sarah J.
Priscilla	20	Allen, Joseph	Blackwell, John
Ransom	59, 60	Whitsett, Alfred M.	Whitsett, Alfred M.
Retter (2 Children)	98	Neal, Nancy Mrs.	Rich, Mrs.
Rhoda	18	Hay, Phillip T.	Wall, Mary A.
Rhoda	18	Hay, Phillip T.	Hay, Lydia M.
Rhoda	18	Hay, Phillip T.	Hay, Randall D.
Rose	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Ruth	18	Hay, Phillip T.	Hay, Lydia M.
Sameul	20	Allen, Joseph	Allen, Elizabeth
Sandy	18	Hay, Phillip T.	Hay, Lydia M.
Solomon	18	Hay, Phillip T.	Hay, William P.
Sophia	18	Hay, Phillip T.	Hay, William P.
Susan	17	Hay, Phillip T.	Hay, Elizabeth
Susan	17	Hay, Phillip T.	Hay, Nathaniel M.
Sylva	17	Hay, Phillip T.	Hay, Elizabeth
Toby	18	Hay, Phillip T.	Hay, Randall D.
Tom	18	Hay, Phillip T.	Hay, Peter W.
Tom	94	Scott, O.M.	Scott, Elizabeth

**1857 Court of Pleas and Quarter Sessions
Rockingham County, NC
SLAVE INDEX**

Name	Page	Owner	Transferred/New Owner
Victoria	18	Hay, Phillip T.	Hay, Phillip T.
Victory	20	Allen, Joseph	Allen, Elizabeth
Washington	98	Neal, Nancy Mrs.	Simpson, Mrs.
William	59, 60	Whitsett, Alfred M.	Whitsett, James T.
Wyatt	20	Allen, Joseph	Allen, Elizabeth

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
A		Angel, J.N.	71
Abbott, Joseph	121	Angel, Jesse H.	71
Abbott, Richard	69	Angel, Milton	67
Adams, Samuel	16, 42	Anglin, William	127
Adams, Samuel F.	26, 60, 75, 83, 84, 85, 86, 88	Apple	66
Adcock, Samuel	63	Apple, Edward	51
Adkins, Judith	101	Apple, Madison	51
Adkins, William	63	Apple, R.L.	84, 105
Aikin, B.W.	122	Armfield, J.	63
Aikin, George L.	1, 10, 11, 12, 23, 83, 91, 101	Arney, Daniel	125
Aikin, J.R.	31	Arney, David	23, 29, 99
Albert, Sidney I.	71	Arney, Sarah	23
Alcorn, John A.	22, 23, 44	Astin, Jetson	42
Alcorn, T.R.	48	Astin, Jetson J.	14, 127
Allen, Benjamin	31	Astin, Sally	9
Allen, Elisha	30, 31	Atkins, David	39, 64
Allen, Elizabeth	20, 52, 63	Atkins, Judith	8
Allen, Ennis	52, 63	Atkins, Nicholas	10, 64
Allen, James	8	Atkins, Stephen	10
Allen, James A.	25, 29	Ayers, John	45, 104, 128
Allen, Joseph	8, 20, 29, 52, 64, 70, 73, 74	Ayers, P.S. Capt.	10
Allen, Lucy	25		
Allen, Mary C.	25, 29	B	
Allen, Nathaniel	8, 39, 67, 70, 73, 104	Baily, Astin	103
Allen, Richard	65, 88	Baily, G.P. Dr.	63
Allen, Robert	63, 64	Baily, Jackson	65
Allen, Sally	25	Baily, James	65
Allen, Samuel	8, 73	Baily, Jesse	65
Allen, Valentine	8, 33, 67, 73	Baily, John	65
Allen, William S.	25	Baily, Priscilla	75
Alexander, M.W.	81	Baily, Reuben	65
Alverson, Charles W.	90	Baily, Thomas	121
Alverson, Claiborn	50	Baker, Abram	69, 125
Amos, Alfred	69	Baker, Anderson	31
Anderson, Robert	22	Baker, Avery	125
Angel, C.D.	71, 103	Baker, Cosby D.	64
Angel, J.M.C.	66	Baker, Jane	123
		Baker, Job	76
		Baker, Jof.	69
		Baker, Rawly	69
		Banes, James	68
		Barber, John	75

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Barber, Sally	75	Bennett, J.J.	24
Barber, Zach	64	Bennett, James	29, 63
Barham, Andrew	69	Bennett, James C.	64
Barham, Joel	69	Bennett, William	29
Barham, John	69	Bennett, William J.	24
Barham, Lee	69	Bennett, William M.	24, 27, 29
Barker, Adelain	101	Benton, Anthony	63, 89, 104, 109
Barker, Andrew J.	127	Benton, Joseph	63
Barker, Jackson	75, 86	Benton, Stacy L.	127
Barker, John	114	Benton, Thomas	91
Barker, Mary C.	113	Benton, Mrs.	63
Barker, Mrs.	70, 121	Berry, Jacob A.	67
Barnes, A.D.	106	Bethell, A.M.	67
Barnes, Eppy P.	45, 113	Bethell, William D.	8, 10, 11, 12, 42, 45, 47, 48, 91, 107, 109, 117, 126
Barnes, Henry	9, 12, 45, 66, 75, 91, 100, 120	Bevell, Archibald	29
Barnes, James	100, 125	Birchell, Wm.	103
Barnes, John	100	Black, Charles	67
Barnes, Martin	64	Black, Joseph	70, 121
Barnes, William	102	Black, M.J.	64, 115
Barr, David	28, 49	Black, P.	10, 31, 102
Barrett, David	83	Black, Pleasant	93
Bartee, Jeffrey T.	127	Black, T.	105
Bartee, John T.	127	Black, T.S.	45, 64
Bartee, Keren	127	Blackburn	65
Bartee, R.D.	127	Blackwell, John	1, 20, 37, 62
Bartee, W.H.	127	Blackwell, Joseph	127
Bason, G.W.	103	Blackwell, N.L.	1, 4, 13, 24, 30, 94, 101, 102
Bason, Isaac	43, 56, 57, 71, 104, 106	Blackwell, Samuel	47
Bason, James	22, 45, 71, 106, 109, 110, 111, 115	Blackwell, Sarah	127
Bass, Reece	95	Blackwell, Thomas	1, 37, 38, 44, 62, 71, 94, 101, 106, 116, 117
Baughn, A.A.	68	Blackwell, Thomas Jr.	106
Baughn, A.S.	75, 83	Blair, C.W.	50
Baughn, John	68	Blair, John	65, 76
Baughn, Millner	68	Blair, William	65
Baughn, Richard	68	Bocock, John W.	68
Baughn, Robert	68	Bolin, Mrs.	95
Baughn, William	68, 104		
Belton, Ony	103		
Belton, Sally	103		
Bennett, J.A.	24, 27		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Bolton, Prudence R.	75	Brown, Robin	110, 125
Boswell, R. S.	88	Brown, Thompson	96
Boswell, Romulus	123	Brown, Washington	71, 117
Bowlin, Elizabeth	65	Brown, James	65
Bowman, Ryal	117	Bryan, James	117
Boyd, George D.	8, 11, 45, 46, 91, 100, 104	Bullard, John H.	69
Boyd, John H.	31, 42, 127	Bullock, Finly	67
Boyd, Samuel H.	42, 102, 112, 115	Burk, M.	31
Boyles, Daniel	33, 97, 98, 101	Burk, William	70
Boyles, Deborah	101	Burton & Smith	102
Boyles, Mary	101	Burton, Green B.	69
Boyles, Vincent	71	Burton, Jones W.	9, 10, 11, 12, 13, 22, 29, 31, 35, 45, 69, 75, 84, 91, 99, 105, 114, 122, 123, 125, 126
Brankin, John	39	Burton, Matthew	69
Brann, Coleman	92, 105	Burton, Thomas	68, 71
Brann, Coleman, Sr.	9	Burton, William	67
Brann, Jane	75	Butler, Thomas	52
Brann, Nicholas H.	24, 33		
Brann, Nicholas Jr.	66	C	
Brann, Nicholas	65	Cabiness, William R.	125
Brann, Peter D.	75	Cahel, George C.	43
Brann, Vincent	65	Cain, Jones	67
Brannock, Elizabeth	124	Calhoun, O.C.	103
Brannock, Green	63	Calhoun, William	67
Brannock, Green L.	16, 116	Canady, Abraham	52
Brannock, Henry	16, 63	Canady, Nathan	52
Brannon, Judy	96, 124, 126	Canady, William	52
Brimfield, B.Y.	63	Cannon, Jackson	64
Brimfield, Thompson	63	Cantrell, John	1
Brisendine, GB	103	Cantrell, Polly	16, 96
Brisendine, H.	65	Cardwell, E.M., Mrs.	64
Brisendine, Henderson	125	Cardwell, G.	102
Brisendine, William A.	127	Cardwell, Gabriel	125
Brodnax, Edward T. Dr.	10, 12, 26, 61, 64, 71, 83	Cardwell, J.H.	18
Brown, David	37	Cardwell, James I	14
Brown, George W.	15	Cardwell, James L.	16, 25, 67
Brown, Hubbard	63	Cardwell, Joseph H.	8, 34, 67, 75,
Brown, Jonathan	52		
Brown, Margaret	15		
Brown, Nicholas	13		
Brown, Robert	26, 60, 69,		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
	83, 92, 94,	Carter, Samuel S.	75
	114, 122	Carter, Thomas	16, 33, 36,
Cardwell, Maria	25, 67		37, 38, 39,
Cardwell, Mary	25		40, 63, 66,
Cardwell, Mrs.	67		94, 104, 109,
Cardwell, Pleasant	25		110, 111,
Cardwell, Richard	25, 28		115
Carrell, Laney	101	Carter, Tyre	11, 44, 46,
Carroll, Daniel	41, 75		70, 73, 75,
Carroll, John	71		91, 92, 100,
Carroll, Larry	41		114, 120,
Carroll, Nathaniel	69		121, 124
Carroll, Rawley	69	Carter, Wilford	70
Carroll, Theophilus	68	Carter, W.B.	94
Carroll, Thomas	64, 75	Carter, Washington	127
Carroll, Wash	69	Carter, William	7, 11, 29, 45,
Carter & Dalton	102		66, 91
		Carter, William B.	45, 64, 73,
			94, 114, 125
Carter, Alexander	50, 75, 90	Carter, Yancey H.	69
Carter, B.F.	67, 127	Case, Phillip	71
Carter, B.H.	50, 89, 106,	Coyle, T.F.M.	31, 64, 87
	113	Chamberlain, Logan	2
Carter, E.B.	94	Chambers, John	63
Carter, Ebenezer	37, 62, 86,	Chambers, Joseph	67, 92, 117
	126	Chambers, Joseph S.	85
Carter, Hardin	114	Chambers, Pincknay	125
Carter, Henry	31, 65, 104,	Chambers, Thomas	63, 67
	109, 110,	Chance, A.J.	68
	111, 115	Chandler	68
Carter, Hubbard	70	Chandler, James	94
Carter, J.C.	120	Chandler, Samuel	84, 104
Carter, Jackson	70, 121, 127	Chilcutt, Blanche G.	110, 122
Carter, James	65	Chilton, John	10, 64
Carter, James	69	Chilton, Joseph	39
Carter, Joel	64	Chilton, William	85
Carter, John	22, 23, 65,	Chrisman, John	31
	66, 75, 100	Chrisman, William R.	28
		Churchill, James B.	106
		Clack, J.F.	105
Carter, John C.	33, 36, 37,	Clack, John	66
	38, 39, 40	Claybrook, Henry	66, 75, 83
Carter, M.S.	125	Claybrook, Wesley	66
Carter, Mrs.	69, 121	Clemmon, Martin	104
Carter, S.E.F.	29	Clerk & Master	30, 75, 105

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Clifton, John	1, 13	Cox, Hardin	106
Climer, John M.	65	Cox, J.M.	64, 94, 106, 114
Climer, Milton	63	Cox, Rachel	103
Climer, Noah	53, 105	Cox, W.K.	106
Climer, Thomas W.	65, 105	Craddock, Abner	65
Cobb, Alfred	65, 76	Craddock, Elvira	100, 123
Cobb, Jackson	65	Craddock, Green	36, 66, 86
Cobb, James	8, 73	Craddock, John	11
Cobb, John	28	Crafton, B.A.	75, 83, 84, 85, 86, 87, 88
Cobb, John N.	50, 89, 113	Crawford, Johnson	75, 83, 84, 85, 86, 87, 88
Cobb, L.G.	76	Crowder, J.M.	64, 75
Cobb, Nancy	44	Cryer, E.M.	73
Cobb, Neptha	76	Cryer, Eliza M.	25
Cobb, Richard	65	Cryer, M.L.	73
Cobb, Samuel B.	29, 34, 45, 63	Cryer, Mariah L.	25
Cobb, Stephen	44	Cummings, B.Y.	69, 112, 125
Cobb, Susan	44	Cummings, Isaac	125
Coblar, Elijah	75	Cummings, Leonidas	69
Coble, Jacob	43, 61	Cummings, Sam	10
Coble, John F.	61	Cummings, T.K.	31
Cobler, Harvey	114	Cummings, W.	101
Cody, William A.J.	63	Cummings, William	41, 45
Coe, J.P.	63	Cunningham, Milton	66
Coe, Robert G.	58, 127		
Cole, Raford	116	D	
Cole, Theophilus M.	127	Dabbs, N.G.	58, 65, 121
Coleman, George	68	Dabbs, Robert W.	109
Collins, Robert	71	Dallas, James	22
Combs, James	52, 104	Dallas, James J.	23
Comer, Elizabeth	73	Dallas, Robt. W.	104, 109
Comer, Henry C.	7		
Comer, Mary Ann	73	Dalton, L.H.	75, 83, 84, 85, 86, 87, 88
Comer, William	74	Dalton, N.	67
Conner, William	2	Dalton, Nicholas	8, 25, 28, 30, 104, 109
Cook, Henry	95	Dalton, Peyton	71
Coram, P.J.	10		
Coram, Pinckney J.	64		
Coram, Richard	46		
Coram, William	64		
Cornwall, Grace	9, 73		
Cornwall, Samuel	33, 63		
Courts, D.W.	63		
Courts, Robert H.	71, 111		
Cox, Hardason	37		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Dalton, S.A.	31	Duncan, John W.	63
Dalton, Thomas	8, 42, 73	Duncan, Robert	69
Dalton, William	11, 42, 45, 95	Duncan, William	121
Daniel, Alvis	8, 42, 45, 46, 72, 83, 91, 106	Duncan, William H.	43
Daniel, Green	127	Durham, Isaac	41
Daniel, Green, Jr.	127	Durham, Martin	63
Daniel, Martin	117	Dye, Brown	45, 83, 84, 85, 86, 87, 88
Davis, Edna	49	Dye, James	64
Davis, James	49, 127		
Deans, Daniel T.	65	E	
DeJarnette, George D.	102	Edwards, Samuel C.	75
DeJarnette, George S.	101	Ellington, Creed F.	44, 46
DeJarnette, George, Dr.	8	Ellington, Daniel P.	64
DeJarnette, James P. Dr.	10, 42, 110	Ellington, Daniel T.	95
Delancy, Catherine	95	Ellington, Edward	71
Delancy, John B.	95	Ellington, Elizabeth	69
Delancy, William P.	96	Ellington, J.D.	53, 68
Dempsey, John	65	Ellington, J.H.	41
Dick, John G.A.	105	Ellington, J.W.	25, 44, 102, 115
Dickens, Joesph W.	106	Ellington, James D.	10, 14, 22, 33, 83, 109, 114, 127
Dillard, James	64	Ellington, John	68
Dillard, John H.	105, 114, 127	Ellington, John M.	43
Dillard, Jonathan H.	76, 105	Ellington, John T.	104, 127
Dilworth, Abraham	84	Ellington, John W.	9, 12, 44, 46, 74, 76
Dilworth, Abram	84	Ellington, John W. Jr.	105
Dilworth, Adie	84	Ellington, Nancy E.	127
Dilworth, Benjamin	66	Ellington, Pleasant	105
Dilworth, S.	64	Ellington, R.A.	64, 70, 92, 115
Dismukes, Mary	104	Ellington, Richard A.	7, 28, 31
Dismukes, R.T.	104	Ellington, William A.	95
Dodd, Nathaniel H.	11, 42, 45, 91, 125	Ellington, W.M.	42
Dodson, A.S.	103	Ellington, William M.	25, 29, 31, 76, 90, 91, 93, 95, 96, 99, 104, 105, 118, 124,
Dodson, Alexander	5		
Doggett, Jordan F.	94		
Donnell, James M.	29		
Douglas, James B.	3, 34, 36, 37, 38, 40, 106		
Dove & Co.	117		
Dugger, Daniel	111, 116		
Dugger, David	16		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
	125, 127	French, John	125
Estes, R.B.	30	French, Rufus J.	85, 86, 112
Evans, G.W.	103	Friddle, Eli	65
Evans, George	64	Friddle, Frederick	104
Evans, James	66	Fuller, H.C.	69
Evans, Marion	68	Fuller, Henry C.	10, 85, 86, 110
Evans, William D.	105	Fuller, Harry M.	43
		Fuqua, Frank	4
F		Ferguson, Julius A.	110
Fagg, Charles	65	Ferguson, Julius, Capt.	10
Fagg, William	65	Ferguson, Thomas T.	220
Fargis, Burrell	71		
Fargis, Joseph T.	40	G	
Farmer, Joseph	66	Gallaway, A.B.	69
Farmer, Patrick	103	Gallaway, M.S. Miss	64
Farrar, Samuel	69, 75, 83	Gallaway, Mrs.	69, 121
Farrington, John B.	69	Gallaway, R.R.	47
Fels, Isaac	113	Gallaway, Rawly	125
Fels, Lazarus	30, 102	Gallaway, Robert	95
Felts, Nicholas	8, 104	Gallaway, Robert R.	30, 31
Ferrell, A.J.	238	Gallaway, Robert Dr.	67, 125
Ferrell, Hutchins	8, 27, 72, 104	Gallaway, T.S.	121
Ferrell, Jackson	113	Galliher, Laura	125
Fewell, William	105, 115	Galliher, P.F.	95, 97, 125
Field, Thomas W.	125	Galliher, Patterson	125
Fisher, Maria	36, 91, 121	Galliher, Polly	125
Fitzgerald, Elizabeth J.	124	Gann, Samuel	45, 103
Fitzgerald, James	67	Gant, James	105
Fitzgerald, William	105	Gant, Martin	64, 65
Flack, A.S.	62	Garner, Richard	64
Flack, Monroe	63	Garrett, George W.	11, 28, 44, 91, 92
Flack, Sidney	37, 38	Garrett, J.B.	104, 121
Flemming, Anne	28	Garrett, Samuel	5, 6
Flynn, Alfred	92	Garrett, Samuel A.	15, 38, 111, 112, 115
Foddrell, Malinda	88	Garrett, William S.	105
Foster, James	68	Gates, Charles	5, 38
Foulks, Fountain	63	Gates, Phillip	113
Fowler, Owen C.	20	Gatewood, Elijah	37
Foy, B.F.	30	Gauldin, John L.	101
Foy, James	70		
French, David P.	24, 30, 38		
French, J	102		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Gentry, Joel A.	4, 10, 30, 31, 71, 104	Grogan, James M.	9, 33, 41, 46, 91, 100, 102, 103, 115
Gentry, Joseph W.	54, 56	Grogan, John P.	75, 115
Gentry, Richard	10, 30, 31	Grogan, John	70, 121
Gibb, David	63	Grogan, M.	24
Gibbs, George C.	77	Grogan, Marenda	105
Gibbs, Jeremiah	10	Grogan, Martin	31, 45, 48, 105, 114
Gibson, Andrew	66, 68	Grogan, R.H.	106
Gibson, Hiram	33, 70, 121	Grogan, Robert	31
Gibson, John	67, 95	Groom, Zachariah	125
Gibson, John H.	10	Grubb, Solomon	85, 111
Gilliam, Richard I.	71	Guerrant & Lawson	102
Gilliam, William J.	24, 30, 31, 45, 71	Guerrant, Daniel E.	8, 13, 24, 28, 31, 43, 44, 47, 49, 101, 126
Gladson, R.H.	46, 64, 91, 100	Guerrant, P.M.	50
Glass, William P.	75	Gunn, Catherine A.	24
Glenn, C.	10	Gunn, Griffin	45
Glenn, C.L.	16, 73, 92, 100	Gunn, James M.	68, 104
Glenn, Chalmers L.	12, 123, 124	Gunn, John	24, 31, 69, 104, 109, 110, 112, 115
Glenn, Joseph H.	30, 33	Guthry, John	63
Glenn, Sarah	30	Gwyn, John	66
Goolsby, Fleming	34, 68, 75, 83, 114	Gwyn, Robert	68
Goolsby, James	65		
Grady, Alexander	71		
Grady, Henry	71		
Grant, Martin	64		
Green, Alexander	63		
Gregory, Nathaniel H.	88		
Griffeth, A.A.	50, 93		
Griffeth, Joseph D.	83	H	
Griffeth, Woodson	71	Hairston, George	31
Griffin, Andrew	39	Hale, James W.	79
Griffin, John	64, 65	Hall, J.H.	62
Griffin, Robert	69	Hall, James	10, 72, 95, 121
Griffin, Thomas	69	Hall, James H.	14, 15, 37, 38, 76, 84, 85, 86, 104
Griffin, William	71		
Griffith, A.	71		
Griffith, Henry	71		
Griffith, Joseph D.	75		
Grogan, Amy	31	Hall, Robert	64
Grogan, Bartholomew	33	Hall, Thomas	106
Grogan, Burwell	85		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Hamlet, Rub.	65	Hay, R.D.	17, 114, 117
Hamlin, Charles	22, 23, 64, 84	Hay, Randall D.	17, 18
Hampton & Harris	75, 76, 93, 103	Hay, Sarah E.	17
Hampton, M.J.	69, 102	Hay, William	17
Hancock, E.W.	91, 96, 102, 105	Hay, William P.	18
Hancock, Ezekiel W.	9, 10, 11, 12, 35, 43	Haynes, James M.	4, 45, 86
Hand, Isaac N.	121	Haynes, William	48
Hand, Pinckney	111	Heggie, James	68
Hand, Ulysses	10, 24, 29, 57, 104	Heggie, John	68
Harell	68	Heggie, Samuel	68
Harrell, Noble	63	Heggie, Thomas	68
Harriford, W.N.	69	Heggie, William M.	68
Harris, C.W.	102, 103	Henderson, R.B.	45, 46, 91, 103
Harris, Charles D.	93	Henderson, Richard G.	4, 11, 22, 23, 100
Harris, E.R.	47, 95	Henly Claiburn	103
Harris, Edwin R.	42, 72	Henniss, Mildred	15, 16
Harris, Franklin	12	Herbin, William	45, 65, 75
Harris, G.N.	102	Herbin, William Jr.	104
Harris, George W.	30, 69, 127	Herbin, William Sr.	104
Harris, James F.	121	Hill, John	103
Harris, Mrs.	98	Hill, Nathaniel	121
Harris, R.	31	Hill, Samuel P.	107
Harris, R.D.	104	Hinds, John	64
Harris, Richard D.	109	Hodgin, Stephen	69
Harris, Richard E.S.	101	Hogan, A.J.	102, 103, 113
Harrison, James	68, 75, 83	Holderby	51
Harrison, William	70	Holderby & Son	117, 118
Hartgrove, Nat.	70	Holderby, G.H.	10
Harvill, Creed T.	112	Holderby, Joseph	48, 84, 115, 118
Hawkins, Charles	1	Holderby, M.C.	48, 50, 84, 89, 102, 105, 115
Hay, Elizabeth	17, 51	Holderby, Marcus C.	64
Hay, Lydia M.	17, 18, 101	Holderby, O.M.	27
Hay, Maggie	101	Holderby, R.A.	13, 31, 45
Hay, Margaret L.	17, 18	Holderby, Richard A.	85, 86, 88, 94, 106
Hay, Mrs.	68	Holderby, V.M.	1, 44, 50, 72
Hay, Nathaniel M.	17, 101	Holderby, Victor M.	93
Hay, Peter W.	17, 18, 105	Holt, Ellington & Holt	76
Hay, Phillip T.	17, 18, 51, 93	Holt, John	127
Hay, Pleasant A.	17		

Name Index

142

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Jarrett, David	75	Jones, Reuben	75
Jarrett, John F.	64	Jones, Richard P.	91
Jeffreys, James H.	68	Jones, Robert M.	33, 36, 37, 38, 40, 70, 76
Jeffreys, Reason C.	33		
John, Thomas Jr.	70	Jones, Ruth	12, 29, 74, 126
Johns, A.B., Dr.	31, 75, 121		
Johns, A.R. Jr	69	Jones, Salley	10
Johns, Calvin	70	Jones, Sam	31
Johns, George	68	Jones, Thomas	104, 109
Johns, Henry	70	Jones, Samuel F.	63
Johnson, Claiborn	65	Jones, William	103
Johnson, G.W.	94	Jones, William R.	63
Johnson, Hartwell	71	Jordan, Edward	24
Johnson, Henry	30, 37, 38, 39, 40, 62, 84, 85, 86, 104	Jordan, Lucy	24
		Joyce, Alexander	100, 120, 124
Johnson, Louiza L.	104	Joyce, David	14, 45, 87, 106
Johnson, Mrs.	70		
Johnson, R.B.	88	Joyce, Dillon	66
Johnson, R.G.	94	Joyce, Drury	100
Johnson, Rawly G.	2, 4	Joyce, Drury P.	120
Johnson, Richard	2, 34	Joyce, Elizabeth	28
Johnson, W.B.	65	Joyce, John	45, 64, 65, 66
Johnson, Walter B.	14, 15, 25, 125	Joyce, John, Capt.	1
Johnston, Thomas B.	35	Joyce, John J.	100, 119, 120, 124
Jones, A.	63		
Jones, Ann	67	Joyce, Joseph	66
Jones, Charles W.	96	Joyce, M.L.	75
Jones, E.P.	63	Joyce, Nancy	124
Jones, Green L.	71	Joyce, Noah	106, 120
Jones, Jackson	46, 67, 89	Joyce, P.D.	65
Jones, James	6, 70, 71, 103	Joyce, Reuben	10
		Joyce, Robert	66, 100, 120, 124
Jones, James A.	10, 37, 53, 63, 121	Joyce, Robert R.	120
Jones, John	1, 63, 67	Joyce, Thomas	6, 31, 46, 117
Jones, John V.	9, 41, 93		
Jones, John W.	70	Joyce, Thomas H.	1, 4, 13, 36, 66
Jones, Margaret	41, 93, 105		
Jones, Margaret S.	9	Joyner, Catherine	15
Jones, Mary E.	29	Joyner, Charles	71, 125
Jones, Pendleton	36	Joyner, Charles L.	15
Jones, R.P.	65	Joyner, James	15

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Joyner, Jane	15	King, Miles D.	8, 9, 22, 75,
Joyner, Lewis	15		96, 104, 112,
Joyner, Mary	15	King, Pinckney I.	87
Joyner, Nelson	15	King, Sally	112
Joyner, Peter	15	King, Samuel	7
Joyner, Rachel	15	King, Samuel M.	68
Joyner, Sally	15	King, Tandy	68
		King, Thomas B.	77
		King, William	44, 68, 96,
			105
K		King, William Jr.	70
Kallam, Allen	34, 68, 85,	Klapp, John	67
	125	Knight, John C.	1, 4, 13, 16
Kallam, David	1, 51	Knight, Nancy A.R.	113
Kallam, Frank	68	Knight, Pinckney	15
Kallam, Henry S.	75, 83	Knight, Thomas	41, 101
Kallam, Horatio	49, 119	Knight, William A.	113
Kallam, John	8, 42, 75, 83	Knott, Bryant	67
Kallam, Spencer	8, 34, 49,	Knott, Garrett	44
	119	Knott, Grace	44, 101
Kallam, William	49, 119	Knott, John	67
Kallam, Winston	11, 49, 51,		
	83, 119		
Kannon, Asa	10		
Keen, T.W.	30, 73, 91,	L	
	96, 105	Lambeth, L.L.	88
Keen, Thomas W., Dr.	8, 44, 128	Lane, Jane H.	125
Kelly, James	30, 37	Lane, Joseph	40
Kemp, Peter	69	Lane, Joseph H.	123
Kemp, William C.	104, 109	Lane, Lucy E.	123
Kennon, Jackson	10	Lane, Martha A.	123
Kennon, Rebecca	85	Lane, Mary S.	123
Kenny, James	30	Lane, Sarah F.	123
Kernodle, S.M.	14, 15, 25	Lanier, Sanford W.	33, 39, 43
King, Eliza	105		44, 47, 50,
King, F.D.	106		90, 91, 96,
King, Henry	42, 126		105
King, Isaac	51	Lasley, Joseph	104, 109
King, Isaac	65	Law, B.J.	41, 68, 102,
King, J.W.	70		103
King, James	69	Lawson & Co.	102
King, John C.	70	Lawson, E.A.	28
King, Joseph	64, 66, 68,	Lawson, Fanny	28
	69	Lawson, J.E.	28
King, Leroy C.	7, 70	Lawson, Mary H.	28

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Lawson, Mary J.	28	Louden, John C.	104, 109
Lawson, R.W.	92, 98	Loudin, John	67
Lawson, Robert W.	28, 43	Loutenschlager, John C.	109
Lawson, Thomas T.	28	Lovelace, John	67
Leak, James W.	69	Lovelace, William	67
Leftwich, Jesse T.	33, 43, 47, 72, 95	Lovins, James	65
Lemonds, F.H.	71	Lowe, A.N.	112, 127
Lemonds, James	65	Lowe, G.L.	127
Lemonds, John	65	Lowe, John W.S.	10, 11, 43, 46, 57, 91, 100, 115
Lemonds, Pleasant	71		
Lemonds, Samuel D.	71	Lowe, L.L.	127
Lemonds, Washington	95	Lowe, Luther L.	112
Lester, Edward P.	69	Lowe, Richard N.	1, 7, 42, 44, 126
Lester, William	71		
Lewellin, James	68, 70	Lucas, James	30, 63
Lewellin, Richard	75, 83	Lucas, John B.	69
Lewellin, Samuel	68, 70	Lumpkin, Moore	33
Lewellin, Thomas	70	Lyles, Mahaly	28
Lewellin, Widow	68	Lynch, Hugh	69
Lewis & Bro.	127	Lynn, John	13
Lewis, George W.	127	Lynn, Thornton	67, 102
Lewis, John	101	Lyon, Albert	64
Lewis, Milton	14	Lyon, L.N.	10
Lewis, T.	69	Lyon, Mrs.	40
Lewis, Thomas	67	Lyon, Nicholas	64, 76
Lewis, William A.	69		
Lewy, David	70		
Lillard, John M.	127	M	
Lillard, Moses	105	Madkins, John	101
Lindsay, John M.	104	Madkins, William	52, 66, 101
Lindsay, John Z.	114	Mahon, Dr.	31
Lindsay, William	46, 64	Malcom, Freeman	40
Lindsay, William R.D.	8, 31	Manly, Rufus	20, 33, 36, 37, 38, 40, 63
Lindsey, James	94		
Lindsey, Jesse H.	115	Manly, William M.	63
Lindsey, William	94	Marcelliott, James	65
Lomax, Albert	11, 19, 22, 28, 30, 41, 45, 46, 73, 91, 96, 100, 102	Marcelliott, Leonard V.	24, 44, 73, 75, 83
Lomax, Elizabeth	30	Marcelliott, Mary	44, 73
Lomax, Hamilton P.	19	Martin, A.	19, 115, 118
Long, William	103	Martin, Allen	33, 36, 37, 38, 39, 40,

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
	71	Martin, William Del	45, 49, 119, 121
Martin, Andrew	14, 75, 83, 99, 106	Massay, Nathan J.	96
Martin, Bailly	1, 4, 13, 14, 15, 16, 44, 71, 103	Massey, Alanson	43, 68, 101
Martin, George W.	45, 66, 110, 125	Massey, Amy	43
Martin, George	63, 68	Massey, Celia	101
Martin, Hamilton	33, 116, 117	Massey, Elizabeth	43
Martin, Howard	2, 101	Massey, Jane	43
Martin, Isaac	94, 113, 127	Massey, Mary	43
Martin, J.W.	45, 51	Massey, N.S.	73
Martin, James	29, 37, 71	Massey, Nathan	43
Martin, John	49, 71	Massey, Nathan J.	41, 124
Martin, John W.	91	Massey, Rufus H.	41
		Massey, Rufus	73
Martin, Joseph	14, 34, 37, 51, 88, 106, 116, 117	Mateer, Andrew	44, 63
Martin, Lewis	66	Mateer, Widow	63
Martin, Mary	40	Matlock, Charles	64
Martin, Massa	105	Matthews, Edward M.	44
Martin, Matilda	49, 119	Matthews, James E	88
Martin, Mrs.	64	May, John W.	36, 127
Martin, Nathaniel	71	May, Joseph	67
Martin, Nicholas	13, 19, 30, 88, 99, 105, 116, 117, 118	May, W.H.	103
		McBride, Alexander	54, 56, 87
Martin, Orson	22, 45, 46, 91, 100, 106, 115	McBride, William	66
Martin, Pleasant	66	McCain, James W. Dr.	62
Martin, Richard	42, 45, 49	McCain, James W.	52
Martin, Samuel	13, 19, 45, 46, 88, 91, 99, 100, 115, 116, 117, 118	McCain, Warren	75
		McCoy, Josiah	65
Martin, Spencer	49, 119	McCholister, William	16, 38, 96
Martin, Thomas	6, 75	McCollum, Daniel	53, 71, 104, 109, 110, 111, 115
Martin, Thomas Jr.	45	McCollum, David	33, 71
Martin, W.	93, 102, 121	McCollum, James	110, 125
		McCollum, James Jr.	66
		McCollum, John	5, 112
		McCollum, Kim	71
		McCollum, Mary	43
		McCollum, Massey	28
		McCollum, Powhattan D.	43, 110
		McCollum, P.D.	70
		McCollum, William	43, 44, 55
		McCollum, William Jr.	56, 57, 110
		McCollum, William Sr.	84, 85, 86, 84, 85, 86,

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
	104, 109,	Miller, Robert	68
	125	Miller, Robert M.	102, 103
McCray, Nancy	2, 74	Milloway, George	66
McCubbins, John	70	Milloway, George W.	53, 110, 122
McDaniel, Guillian	116	Mills, John	1
McDaniel, James W.	104, 109	Mills, Thomas I.	42
McDaniel, James W.M.	63	Mills, Thomas S.	101
McDaniel, Major	36	Mills, William F.	44, 105
McDonald, Archer	12	Minor, Levin	44, 75, 83,
McDonald, Jane	30		84, 86, 87,
McDonald, Janet	35, 101		88
McDowell, W.G.	75	Mitchell, David	1, 9, 15, 44,
McElroy, Margaret	110		73, 101, 113
McElroy, Nancy	122	Mitchell, James	14, 22, 23,
McGeehee, Elizabeth	25, 29		44, 71, 88,
McGeehee, Emily	25, 29		125
McGeehee, Henry J.	25, 29, 95,	Mitchell, Jesse	14, 88
	125	Mitchell, Joseph	63
McGeehee, William	112	Mitchell, Joshua	127
McGibony, John	64, 94	Mitchell, S.P.	95
McKillis, James T.	10, 91	Mitchell, William	33
McKim, Sally	123	Mobley, Nathan	36, 37, 38,
McKinney, J.W.	118		39
McKinney, Nathaniel	110	Moir, John	23, 30, 35,
McKiver, Sally	100		45, 88, 101,
McMichael, Obadiah	24, 59		127
Meador, Francis J.	24	Moir, Robert	45
Meador, Nancy E.	24	Molloy, Daniel	71
Meador, Samuel J.	24	Molloy, David M.	5, 6, 10, 38,
Meador, Wilson	24		68, 85, 111
Meadors, Lucy J.	28	Molloy, G.C.	71
Meadors, Nancy P.	28	Molloy, Massey	28
Meadors, Thomas C.	2, 24, 26, 29,	Molloy, Thomas	63
	58, 73	Montgomery, J.N.	28
Mebane, William N.	10, 14, 95	Montgomery, James Q.	8, 9, 12, 16,
Miles, Jackson	70		37, 38, 39,
Miller, Frank H.	77		43, 62, 104,
Miller, Frank	69		109, 110,
Miller, Frederick	58		111, 114,
Miller, George W.	110		115, 122
Miller, Henry	68, 71	Montgomery, Jane W.	28
Miller, James	68	Montgomery, John	67
Miller, John W.	64	Montgomery, John W.	127
Miller, John	63	Montgomery, Robert A.	8
Miller, Pinckney	64	Moore, Adie	29

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Moore, Berry D.	90, 127	Motley, Joel A.	117
Moore, David	29, 118	Moxley, William H.	68
Moore, Elizabeth	122	Mullins, Thomas	71
Moore, F.B.	45, 124	Murphy, Celia	8, 101
Moore, Francis B.	67	Murphy, Clay	86
Moore, George	67	Murray, Jane	105
Moore, Hervey	46, 68, 69	Murray, Jane P.	105
Moore, Hugh	63, 65		
Moore, Isabella	2, 90, 99	N	
Moore, J.W.	45	Nance, Henry	14, 30, 31, 36, 48, 84, 85, 86, 106
Moore, James M.	22, 23, 31, 67	Nance, James	103
Moore, James S.	65	Napier, Robert M.	46, 68, 70, 76
Moore, James W.	29	Neal, J.W.	91, 101, 107
Moore, James	67	Nance, John T.	107, 122
Moore, John W.	53, 58, 104	Neal, Joseph W.	8, 20, 35, 43, 90, 96
Moore, John	53, 64, 65, 66	Neal, Nancy	35, 43, 101
Moore, Julia	29, 118	Neal, Nancy, Miss	98
Moore, Pearson	2, 73, 90, 99	Neal, Nancy, Mrs.	98
Moore, R.L.	63	Neal, William	113, 127
Moore, Rachel	28	Neal, William R.	20, 24, 25, 52, 67, 122
Moore, Robert	65	Nelson, Elijah	92
Moore, Rosannah	29, 118	Nettles, Polly	100, 123
Moore, Samuel	92, 118	New, John M.	93, 114, 126
Moore, Smith	45, 58, 96	Newel, William	58, 63
Moore, Starlin	66	Newnam, Andrew	71, 103
Moore, Thomas	105	Newnam, Joseph	68
Moore, William	29, 118	Newnam, Sylvester	63
Moore, Wilson D.	2, 12, 24, 63, 73, 74, 96, 118, 122	Newnam, Thomas	103
Morehead, J.T.	65	Noland, M.	87, 102, 103
Morehead, James T.	14, 29	Noles, Edward	63
Morehead, John M.	30, 69	Noles, James E.	63
Morehead, Mrs.	10, 64	Noles, Wiley	63
Morgan, James	33, 36, 38 39, 40, 112, 113	Noles, William	1, 63, 105
Morris Edwin S.	7, 9, 14, 15, 20, 25, 44, 62, 73, 94	Noles, William Jr.	1, 57
Mosely, Daniel H.	104, 109	Norman, James B.	105
Motley, Baily	7	Nowland, Michael	41
		Nunn, Miller	63

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Nunnally, L.	42	Payne, Thomas	45
Nunnally, L.W.	101	Pearman, John	68
Nunnally, Louiza E.V.	43	Pearman, William	68
Nunnally, Martha J.	44	Pearse, William	67
Nunnally, Nancy D.	44	Pearson, Ann	24
Nunnally, Sarah	43	Pearson, Anna	28, 62, 97
Nunnally, Susan S.	44, 101	Pearson, Jenetta	28
Nunnally, Susan	42	Pearson, Sullivan	8, 104
Nunnally, William	44	Pearson, Thomas	97, 105
		Pearson, Thomas W.	53, 68
		Pearson, William	68
O		Peay, George W.	29, 45, 106
Odell, Joseph	30	Peebles & White	116
Oak, William F.	66	Peeler, Samuel	65
Oakly, Pleasant	103	Perdue, William	75
Oakley, Jackson	68	Perkins, Constant	85
Oaks, William F.	76	Perry, Daniel	45, 67
Oliver, E.W.	103	Perry, Ebenezer	10
Oliver, James	114, 126	Petigrew, Frank	67, 85
Oliver, Peter	68	Petigrew, Joseph	67
Oliver, Reuben	65	Petigrew, Lemuel	67
Oliver, Samuel	114	Phillips, Alfred	68
Oliver, W.W.	31, 121	Phillips, Andrew	68
Osborn, David	1	Phillips, Frank	47
Osborn, David M.	30	Phillips, Lewis B.	1, 4, 13, 105
Osborn, Lafayette	84	Phillips, Robert	104
Overby, Smith	65	Phillips, Theophilus	47
		Pickman, Peter	68
		Poindexter, Joseph J.	16
P		Pool & Co.	90
Palmer, L.J.	14	Pool, B.G.	62
Palmer, E.P.	63, 64	Pool, J.J.	68
Palmer, Evan P.	24, 27	Poole, A.W.	50, 117
Park, Hiram	71	Poole, Aaron W.	17, 89, 116
Paschal, John	85	Poole, B.G.	37
Patrick, David S.	28	Powell, E.M.	2, 43, 71, 107
Patrick, Hugh L. Dr.	2, 24, 43, 59, 63, 75, 110	Powell, Jackson	7, 104, 109, 110, 111, 115
Patterson, Daniel J.	36, 86		
Patterson, Isaac	31	Power, Michael	67
Patterson, T.W.	65	Powers, Harrison	64
Patterson, Thomas T.	72	Powers, J.H.	104
Patterson, William C.	13, 14, 15	Powers, Jeremiah	7
Patterson, William D.	47	Powers, William	31

Name Index

150

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Reddick, Joseph	96, 100, 109	Roach, Alexander M.	1, 8, 10, 11,
Reid, Alfred	43		12, 33, 42,
	12, 30, 45,		44, 71, 93
	58, 101, 122,	Roach, Ann	22
	124	Roach, Ann, Mrs.	65
Reid, Anderson	49	Roach, James	22
Reid, Commissioner	118	Roach, John A.	71
Reid, D.S.	64, 126	Roach, Joshua	70
Reid, David	77, 84, 86	Roach, Thomas	11, 44, 46,
Reid, E.M.M.	101		65, 76, 85,
Reid, Hugh K.	8, 33, 44, 63,		86, 91, 100
	84, 96, 105	Roach, Thomas Jr.	14, 15, 33
Reid, John C.	103	Roach, Thomas Sr.	12, 24, 104
Reynolds & Bro,	102	Roach, William	22
Reynolds, James T.	125	Roberts, Allen	75
Reynolds, John M.	9, 23, 30, 31,	Roberts, B.S.	64, 73, 76,
	45, 105		114
Reynolds, P. Jr.	69	Roberts, Caroline	24
Reynolds, S.M.	105	Roberts, Emily	24
Reynolds, Sarah J.	105	Roberts, George	36
Reynolds, Thomas	35, 105	Roberts, George W.	31
Rhodes, Epaphroditus	8	Roberts, J.Q.	70, 121
Rhodes, Eppy	42, 73	Roberts, J.	103, 104
Rhodes, Nathaniel	68	Roberts, James	11, 22, 30,
Rice, Ella	86		33, 40, 53,
Rice, William C.	73		58, 62, 64,
Rice, William	73		66, 83, 91,
Rich, Mrs.	98		93, 102, 103,
Rich, William	63		106, 112, 122
Richardson & Co.	102	Roberts, John	31, 67, 75
Richardson, Ann	24	Roberts, John Jr.	45, 75, 83
Richardson, James	63	Roberts, John Sr.	104
Richardson, John	63, 66	Roberts, Joseph	75
Richardson, Margaret J.	24	Roberts, Joseph H.	1
Richardson, Mary E.	24	Roberts, King	31
Richardson, Robert P.	2, 7, 24, 28,	Roberts, M.B.	104
	41, 49	Roberts, Mourning	84
Richardson, Sally	24	Roberts, N.	127
Richardson, Samuel	125	Roberts, Nib	65
Richardson, William Z.	5, 105	Roberts, Pinckney	24
Rickman, John	66	Roberts, Samuel	71
Rickman, Peter	66, 103	Roberts, Thomas	4, 10, 13, 14,
Rickman, William	103		15, 16, 85,
Riddle, William	103		86
Roach, A.M.	91	Roberts, Thomas Sr.	1

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Roberts, Walter R.	24	Saunders, Monroe	71
Roberts, William	24	Saunders, Robertson	85, 104
Robertson, A.L.	69	Saunders, Sam	70
Robertson Frances	127	Saunders, William P.	7, 70, 125
Robertson, A.P.	27, 63	Sawyer, Henry	3, 34
Robertson, J.G.	91	Sawyer, John	63
Robertson, John	112	Scales, Ann	49, 119
Robertson, John G.	11, 22, 23, 26, 44, 61, 76, 100	Scales, Alfred M.	11, 91, 105
Robertson, M.	69	Scales, Alfred M. Jr.	30, 92, 127
Robertson, Marcelles	69	Scales, Hamilton	28
Robertson, Martha A.	28	Scales, James M.	18, 28, 30, 34, 43, 67, 92, 94, 114
Robertson, Sanders	13, 25	Scales, James M. Sr.	33
Robertson, T.O.	45, 91	Scales, James R.	28
Robertson, Thomas I.	93, 114, 126	Scales, John L.	43, 87
Robertson, William H.	69, 76, 102	Scales, Jno. M.	101
Rogers, Edwin	65	Scales, Mrs.	95
Roper, Benjamin	100, 123	Scales, Nancy	94
Roper, C.	92, 100	Scales, Nathaniel	12, 95
Roper, Charles	12, 16, 26, 61, 73, 123, 124	Scales, Peter	91
Roper, James	100, 123	Scales, Pleasant M.	115
Roper, Randal	100, 123	Scales, Richard H.	122, 123
Roper, Rebecca	26, 61, 100, 123, 124	Scales, Robert	49
Roseberry, Calvin	71	Scales, Robert H.	12, 20, 24, 43, 44, 52, 98, 104
Roseberry, John	103	Scales, Robert W.	12, 25, 57, 74
Rosebrough, Thomas D.	67, 72, 75	Scales, William L.	45, 114
Ruffin, T. Jr.	76, 96	Scales, William T.	67
Russel, Yancy	96	Scarlett, James	64
		Scarlett, William	29, 31, 34
		Scearcy, A.M.	31
		Scott, Andrew	90, 99
		Scott, David	29, 40, 90, 99
		Scott, Elijah	63
		Scott, Elizabeth	94
		Scott, O.M.	94
		Scott, Pinckney C.	90, 99
		Scott, William	11, 19, 26, 41, 45, 58, 60, 90, 91, 94, 96, 99,
S			
Sadler, Benjamin	42, 126		
Sanders, John	71		
Sanders, R.C.	76		
Sanders, Robertson	85, 104		
Sanders, William	71, 111		
Saunders, Alfred	65		
Saunders, Alfred Sr.	33		
Saunders, James	65		
Saunders, Jane	66, 70		

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
	102, 104,	Simpson, Martha	73
	109, 118, 122	Simpson, Mrs.	98
Scruggs, Thomas	65	Simpson, Peter	69
Searcy, Alexander M.	24, 25, 31,	Simpson, Phillip	105
	114, 126	Simpson, R. Jr.	69
Setliff, Abraham	30	Simpson, Robert	9, 21, 43, 66,
Setliff, Alexander	63		73
Setliff, Barnett	7	Simpson, Sarah	21, 28
Setliff, Daniel	63	Simpson, Sharach	73
Setliff, George	30, 63	Simpson, Simeon	69
Settle, David	96	Simpson, Starlin	71
Settle, Judge	63	Simpson, T.L.	46
Settle, Thomas	11, 84, 91,	Simpson, William	71, 91
	96, 105, 106,	Simpson, William C.	6, 21, 66
	126	Sims, James G.	9, 27, 68, 73
Sharp, A.	105	Sims, Mrs.	65
Sharp, Anderson	105	Sims, Robert	9, 24, 27, 73
Sharp, Frank	66	Sims, Widow	95
Sharp, George	22	Slade, William	63
Sharp, George Jr.	68	Slaughter, Charles D.	50, 90
Sharp, George Sr.	111	Small, Nathaniel	70
Sharp, James A.	70, 93, 104,	Small, Robert	65, 66
	105	Smallwood, Orestes	47, 97, 104,
Sharp, John	70		109
Sharp, Thomas L.	63	Smallwoods, Col.	95
Sharp, William	69, 102	Smith, A.P	45, 91, 93,
Sharp, William A.	10		95, 102, 114
Sharpe, George Sr.	1	Smith, B.H.	64
Shaw, Levi	65	Smith, Charles	49, 119
Short, Hiram	69	Smith, Charles R.	66
Shreive, David C.	22, 23, 65,	Smith, Clement	106
	66, 70	Smith, Daniel	42, 101
Shreive, James C.	70	Smith, Drury	8, 11, 42, 66,
Shreive, James S.	66		90, 91, 96,
Shreive, John	65		101, 102,
Simpson, Celia	9, 73		116, 117,
Simpson, F.L.	1, 10, 12, 33,		124, 126
	66, 83, 91,	Smith, Ella	66
	92, 94	Smith, F.J.	83
Simpson, Francis L.	11	Smith, Francis J.	75
Simpson, George	20, 89	Smith, Frank	66
Simpson, J.T.	45, 91	Smith, George	121
Simpson, James	65, 71	Smith, Gustavus A.	68
Simpson, James T.	9, 10, 16, 19,	Smith, Haywood	44, 68
	21, 76, 117	Smith, James	92

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Smith, James C.	68	Southard, Jesse	69
Smith, John	1, 2, 4, 13, 14, 15, 16, 68, 86	Southard, Thomas S.	103
		Southard, William	67
Smith, John L.	44	Southard, Z.	69
Smith, John W.	115	Southern, James O.	66
Smith, Joseph	34, 63	Southern, G.S.	5
Smith, Joseph S.	68	Southern, William F.	66
Smith, Joshua	40	Sparks, Matthew T.	68
Smith, Joshua F.	68	Stacy, Iverson	8
Smith, Joshua R.	28	Stacy, James	71
Smith, Joshua T.	44, 106	Stacy, John	17, 31, 42, 46, 88, 89, 91, 100, 105, 116, 117
Smith, Mary A.	44		
Smith, Mary	49	Stallions, Jacob	53, 105
Smith, N.B.	78	Stallions, James M.	105
Smith, Nathaniel	28, 40	Stamps, Milton	75, 83, 84, 86, 87, 88, 102, 114
Smith, Polly	119		
Smith, R.H.	40	Stanly, William	67
Smith, Robert	64	Staples & Gallaway	92
Smith, Rufus H.	28, 30, 75, 105	State of North Carolina	76
Smith, Samuel	66, 105, 106, 122, 123	Stephens, James	65
Smith, Samuel S.B.	7, 9, 31, 68, 104, 109.	Stephens, Peter	71, 84, 103
Smith, Starky	125	Stephens, Walter	65
Smith, Thomas	49, 68, 119, 124	Stevens, James	64
Smith, Walker	31, 49, 75, 83, 84, 85, 86, 87, 88, 119	Stevens, Letitia	30
		Stevens, William	64
Smith, Walter R.	44, 75	Stewart, Benjamin	37
Smith, Washington	49, 119	Stewart, George	67
Smith, William	64, 104	Stewart, George W.	7, 70, 113
Smothers, Jackson	70	Stewart, Joseph	37
Smothers, James	70	Stewart, Margaret C.	113
Smothers, William G.	70	Stewart, Samuel	7, 10, 38, 40
Sneed, James	65	Stire, Bedford	71, 103
Sneed, Z.P.	65	Stire, William	71
Sneed, Zachariah	75, 83	Stokes & Son	118
Snider, George Jr.	6	Stokes, John Y.	46, 94, 105
Solomon, Anderson	70, 75, 121	Stone	75
Solomon, Andrew	86	Stone, Arrington B.	70
Southard, E.G.	66	Stone, Capt.	10
		Stone, Dudley	19
		Stone, John	67
		Stone, Robert	63
		Stone, William T.	21, 66

Court of Pleas and Quarter Sessions 1857
Name Index

Name	Page	Name	Page
Stone, William	64, 71	Thacker, Joseph	104, 109,
Stovall, John	71		110, 111,
Strader, Adam	54, 56, 57		115
Strader, Joshua	68	Thacker, Larkin	20, 44, 52
Strong & Adams	30	Thacker, Sally	75
Strong, D.	79	Thomas, Benjamin	66
Strong, John	9, 18, 31, 40,	Thomas, James D.	70
	45, 101, 104,	Thomas, James F.	70
	114, 123,	Thomas, James Sr.	1, 70, 121
	124	Thomas, Jesse	66
Strong, William R.	23, 69, 124	Thomas, John	68
Stubblefield, D.W.	89	Thomas, John T.	104
Stubblefield, David W.	7	Thomas, John W.	48
Stubblefield, George W.	30, 88, 89,	Thomas, Michael H.	31, 70
	117	Thomas, Robert	67
Stubblefield, Sarah	8, 126	Thomas, Samuel	31
Stubblefield, T.J.	73, 104	Thomas, Thomas	66
Stubblefield, Tilman J.	8	Thomas, William	67
Suits, Jonathan	85, 86, 112	Thomas, William Y.	112, 121
Summers, Andrew	42	Thompson, Alexander	48, 75, 83
Summers, Jacob	42	Thompson, M.	77
Summers, Ludwig W.	62, 88	Thompson, Thomas	9, 67
Swepson, George W.	20	Thornton, Lynn	25
		Timberlake, Mrs.	67
		Tinsbloom, Ann E	29
		Tinsbloom, Thomas	9
T		Tony, John	66
Tally, Frank	70, 121	Travis, James	76
Tally, James	65	Travis, James J.	106
Tate, Margaret	97	Troxler, Adam A.	66
Tatum, James	46	Troxler, Calvin	66
Taylor, George	71	Troxler, George S.	70
Taylor, James D.	75	Troxler, Madison	66
Taylor, Josiah F.	1, 21, 22, 37,	Troxler, William	66
	62, 105, 112	Truit, Celia	9
Taylor, Thomas	28, 106	Truit, Henry J.	4, 43, 65
Terrell & Price	102	Truit, Lewis	21, 71
Terrell, William	66	Truit, Spencer G.	1
Terry, Christopher G.	33	Tucker, James M.	75, 83
Thacker, Abner Jr.	66	Tucker, John	66
Thacker, Abner Sr.	66	Tucker, T.J.	66
Thacker, Carmel	75	Tucker, William H.	127
Thacker, Isaac	6	Tulloch, James	71
Thacker, James	104	Tulloch, Thomas	71
Thacker, John	31	Tulloch, William	71

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Turner, Hardin	95		62, 74
		Walker, D.	63
		Walker, David	117
		Walker, James	9, 24, 31, 32, 36, 37, 38, 39, 40, 97, 98
U			
Upton, Thomas	68		
		Walker, James L.	53
V		Walker, James M.	2
Vaden, Thomas	64	Walker, James T.	28
Vaughn, E.B.	104, 109	Wall, Mary E.	114
Vaughn, J.	10	Walker, Nancy	101
Vaughn, J.F.	10	Walker, Priscilla	101
Vernon, A.	91	Walker, Robert F.	24, 27
Vernon, James A.	10, 11, 45, 104	Walker, Robert Jr.	2, 11, 12, 24, 29, 45, 63, 73, 96, 107, 118, 122, 124, 125
Vernon, John	69		11, 41, 46, 76, 91, 100
Vernon, Lemuel	66, 104, 109		27
Vernon, Nancy	30	Walker, Stephen	24, 122
Vernon, Nathaniel	94	Walker, Thomas B.	53
Vernon, Thomas	94	Walker, Thompson	2, 62, 122
Vincent, Thomas	69	Walker, William	24, 33, 36, 37, 38, 39, 40, 52
		Walker, William E.	101
			24
W		Walker, William P.	10, 64
Wade, E.	103	Wall, A.J.	5, 9, 10, 11, 24, 28, 91
Wade, Elisha	33, 70, 75, 92, 105	Wall, Abraham	65
Wade, Grief B.	64	Wall, Alexander	64
Wade, Henry	104, 109		31
Wade, James	70	Wall, Alfred	24
Wade, Martha	105	Wall, James	31
Waggoner, George Q.	66	Wall, James R.	24
Walker, A.	43, 94, 109	Wall, John A.	31
Walker, A.G.	8, 24, 29, 91, 97, 98, 100, 105, 125	Wall, John C.	70, 75, 83, 95
Walker, A.T.	64	Wall, Joshua S.	75
Walker, Abram	27, 38, 64, 94		40, 73, 104, 104
Walker, Alfred	8, 24, 31, 33, 36, 37, 38, 40, 109, 110, 111, 115	Wall, Katharine	17, 18
Walker, Amos G.	9, 12, 44, 46,	Wall, Louiza L.	24, 28, 65
		Wall, Mary A.	30, 31, 101
		Wall, Pinckney	
		Wall, Samuel S.	

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Wall, Widow	10, 64	Webb, William G.	14, 33
Wall, William J.	30	Webb, William	65
Wall, William P.	92	Webster, B.F.	10, 86
Wamack, Joseph B.	105	Webster, B.R.	13
Ward, A.L.	122, 125	Webster, F.	10
Ware, Sidney G.	64, 69	Webster, J.B.	104, 109
Warren, Harry	75	Webster, John	1
Warren, Henry	63, 83	Webster, John B.	109
Warren, William	29, 96	Webster, P.	30, 102
Warriner, Mrs.	71	Webster, Peter F.	45, 104
Warriner, Robert H.	13, 71	Webster, Pleasant	45, 95
Warriner, R.W.	102	Webster, Richard	29
Washburn, Abel S.	111, 112	Webster, W.J.	66
Waters, Joseph S.	8	Wells, George	1, 67
Waters, R.G.	105	Wesson, Alexander	110
Waters, Reason	26, 85, 86, 105	Wesson, Isaac	125, 127
Watkins, C.F.	45, 75, 83	Weston, Isaac	71
Watkins, F.	34	Wharton, Jesse	1, 53, 65
Watkins, Francis	75, 83	Wharton, Pinckney R.	9, 24, 29, 41, 46, 53, 87, 118
Watkins, John D.	45		
Watkins, John G.	10, 37, 38, 50, 62, 90	Wheeler, Ezekiel	7, 9, 14, 37, 38, 39, 41, 62, 68, 87, 88, 93, 96, 125
Watlington, E.	75		
Watlington, Edward	33, 66		
Watson, Elijah	25		
Watson, F.W.	1, 13, 16, 24, 26, 30, 45, 58, 60	Wheeler, Thomas B.	9, 10, 12, 35, 105
Watson, J.W.C.	29	Wheely, Hewit	70
Watt, Robert B.	8, 35	White, Edward	66
Watt, Turner	65	White, John	7, 66
Watt, William P.	8, 20, 43, 45, 98, 127	White, N.C.	102
Waynick, Jesse	9	White, William	69
Weadon, John	64	Whiten, William	127
Weadon, Martha	35	Whitsett, Alfred M.	12, 24, 26, 46, 58, 59, 60, 73, 126
Weadon, William	3, 35, 64		
Weatherford, J.G.S.	103	Whitsett, James G.	24, 58
Webb, A.H.	71, 85, 86, 87, 94, 122, 127	Whitsett, James T.	59, 60
		Whitsett, Mary	125
Webb, John	105	Whitsett, Nancy	24
Webb, Martin	65	Whitsett, Sarah	24, 26, 126
Webb, William D.	73	Whitsett, Sarah J.	59, 60
		Whitsett, Sarah Mrs.	58, 59, 60,

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Whitt, Samuel	65	Wilson, Ozias	64
Whittemore, Clement	29	Wilson, T.W.	31
Whittemore, I.B.	28	Winchester, A.W.	29
	7, 28, 31, 35,	Winchester, Angeline	96, 124
	43, 102, 103,	Winchester, Granville	22, 30
	123	Winchester, John	26, 30, 41,
Whitworth, Isaac	110, 111		60, 64, 74,
Whitworth, James	6		94
Wilcox, Edmond	80	Winchester, Letitia	64
Wiles, Richard	8, 42	Winchester, Martha J.	29
Wilkerson, N.R.	103	Winchester, N.	31
Williams, Abel L.	9, 57, 66, 73,	Winchester, Pinckney	94
	75	Windsor, Edwin R.	1, 4, 8, 13,
Williams, Andrew S.	94		15, 16, 19,
Williams, Ann	43		20, 29, 74
Williams, Gardiner	63	Windsor, William F.	8, 19, 20, 29,
Williams, Hubbard	1		74, 75, 83,
Williams, Hubbard Jr.	63		85
Williams, James	31, 43, 71	Withers, A.G.	104
Williams, James C.	31, 68	Withers, James A.	73
Williams, Jane	43, 96, 126	Withers, Sally C.	73
Williams, John	63	Witty, B.F.	125
Williams, John W.	105	Witty, Ezekiel	69
Williams, R.T.	91	Witty, Fewell	69
Williams, Robert T.	9, 26, 28, 44,	Witty, Sidney	69, 125
	45, 58, 60,	Woodburn & Hoskins	102
	84	Woodburn, Emsley M.	9, 11, 45, 75
Williams, Thos. R.	93	Woodman, C.W.	79
Williams, W.G.	102	Woodson, George B.	70
Williams, W.S.	87	Woodson, Robert H.	75, 83
Williams, William	43, 68	Woolen, David M.	4
Williams, William G.	63, 75, 83	Worsham, Thomas J.	51, 93, 105
Williams, William P.	45, 58, 75,	Wray, Alexander	104
	24	Wray, Robert	1
Williams, William W.	114, 126	Wray, Talitha	44
Williamson, B.F.	102	Wray, A.J.	69
Williamson, B.T.	63	Wray, Albert	44
Willis, Hugh	85, 86	Wray, Alexander	109
Wilson, Basley	6, 38, 86	Wray, Jackson	63
Wilson, Edward G.	77	Wray, James Jr.	69
Wilson, Elijah	12, 57, 74	Wray, James O.	69
Wilson, Fenner Jr.	68	Wray, Mary D.	44, 125
Wilson, George	66	Wray, Thomas	44
Wilson, Hubbard	25, 57	Wray, William R.	44, 125
Wilson, John W.	117	Wren, John	71

Court of Pleas and Quarter Sessions 1857

Name Index

Name	Page	Name	Page
Wright, David L.	9, 13, 14, 24, 28, 41, 52, 53, 85, 86, 89, 111		
Wright, George	10, 64		
Wright, Henry	10, 64		
Wright, Hiram A.	17		
Wright, James	9, 24, 27, 42, 44, 102, 114		
Wright, Lewis	103		
Wright, Martha	96, 125		
Wright, Nathan	7, 64, 71		
Wright, Rufus L.	105		
Wright, W.L.	125		

X

Y

York, Libby	103
York, Lydia	92
York, William	103
York, William Sr.	93
Yors, William S.	9, 12, 43, 45, 49, 70, 104, 109, 110, 115, 123
Young, George	75
Young, Jane	53
Young, Jane, Mrs.	65
Young, John	125
Young, Joseph	53, 94
Young, Margaret	94
Young, Margaret E.	53
Young, Robert	71
Young, Samuel V.	101
Yountz, David	69

Z

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The Journal is published semiannually in June and December by the Rockingham County Historical Society, Inc. Box 84, Wentworth, N. C. 27375. Members of the society, for which the annual dues are \$15.00 for an individual and \$20.00 for a family membership, receive the journal. Beginning with the June 1997 issue of the Journal, individual copies may be purchased for \$6.00 per number plus \$1.75 mailing charge. A price list of back issues and other publications is available upon request.

Editorial Policy

The publication committee is interested in receiving articles on the history and genealogical source materials of Rockingham County and the adjacent area. The historical articles must be well written and thoroughly documented. Genealogical articles should consist of previously unpublished primary source materials pertaining to Rockingham County, such as abstracts of local records and edited dairies, letters, or church records. Papers on family history should not be submitted. All copy, including footnotes, should be typed, double-spaced. Articles and correspondence should be sent to the Editor: Robert W. Carter, Jr., 1141 Irvin Farm Road, Reidsville, N. C. 27320.

About The Cover

These costumes are typical dress of Ku Klux Klan members while on a raid during the Reconstruction Period.

From a drawing in 1870, in G. B. Raum's *The Existing Conflict*.

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CONTENTS

Reconstruction and Racial Relations in Rockingham County, North
Carolina

by Jeryl Rice 1

A Time of Terror in Rockingham County, 1868-1870

Compiled by Michael Perdue and

Robert W. Carter, Jr. 29

Reconstruction and Racial Relations in Rockingham County, North Carolina

by
Jeryl Rice

Editor's Note: Jeryl L. Rice is a native of Rockingham County and a graduate of UNC-Wilmington. During her post-graduate work at UNC-Greensboro she researched and wrote the following article. She lives in Wentworth where she is a longtime social studies teacher at Rockingham County High School. Appreciation is extended to Ms. Rice for her permission to print the following article.

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When the Civil War ended, the American institution of slavery was abolished. After more than 200 years of bondage, the slaves long-prayed-for freedom was officially obtained. This change in status brought them face to face with a new way of life. Unfortunately, the freedmen faced many obstacles which hindered their fully experiencing and developing their new found liberty. This new class of Americans who owned no land; controlled virtually none of the nation's wealth; was largely illiterate; and was easily distinguished by color, attempted to "make a go of it" in an embittered and war-ravaged land. At the grassroots level, most ordinary blacks soon found themselves almost as vulnerable and dependent as they had been in the antebellum era.

Historians, until recently, projected the image of the freed black in Reconstruction as idle, irresponsible, and barbarous. Moreover early scholars portrayed Southern whites as a sorely tried people, subjected to the misrule of vindictive congressional leaders, carpetbaggers, scalawags, and ignorant blacks. Violence by blacks was rampant, and their rapists terrorized the white female populace. J. G. R. Hamilton suggested that, due to the state of affairs, a large part of the South became a "veritable hell" for the native whites.¹ However, recent historians have shown that the traditional caricature of blacks and their Reconstruction behavior is somewhat unfair. The guilty few served as a stereotype for the whole black race during this period.²

A study of life during the postwar period in Rockingham County, North Carolina shows that the real victims during this turbulent period were the blacks more so than the Southern whites. For with the accomplishment of emancipation, the majority of blacks struggled against white oppression to improve their lives. The newly-freed slaves sought justice under the law, worked

hard to be self-supporting, and strived to obtain an education. Unfortunately, black aspirations threatened the concept of white supremacy. Southern whites of all classes approved of the political, economic, and social repression of blacks. Many even condoned violence to protect the Southern way of life.

Thirty-two percent of Rockingham County's population in 1860 were slaveholders.³ This was similar to the South as a whole, where approximately one-fourth of all families owned slaves. Of the slaveholders in Rockingham County, some were large planters, but most prevalent were middle-class farmers with a dozen or so slave hands and yeoman farmers with few or no slaves. Slaveowners dominated positions of leadership in the county in 1860.⁴ There were no examples of white resistance to slaveholding found in the existing county records. Unless morally opposed to the institution, many non-slaveholders aspired to become slaveowners.

Rockingham's slave population was 38 percent of its total population which was atypical of the majority of North Carolina Piedmont counties.⁵ The county's relatively large slave population reflects its concentration on tobacco production and its inclusion in the Virginia tobacco district. In Rockingham County, as throughout the South, slaves were an important economic asset to their owners. Therefore, the day of emancipation was for many planters an unwelcome and unsettling event.

In April 1865, General John M. Schofield, commander of the Department of North Carolina for the Union Army, issued proclamations formally announcing the end of war and slavery. As the news of emancipation spread from plantation to plantation, the first decision the newly-freed blacks had to make concerning their immediate future was whether to leave the plantation find employment elsewhere or to remain with their ex-masters. The majority of blacks did leave their former owners, but black mobility was not aimless and malicious wandering as traditional accounts indicate.

Black mobility reflected diverse considerations. A number of freedmen went in search of family members, or better economic opportunities. Some newly-freed blacks had the natural urge to explore. One Rockingham County freedman followed the Union army to Washington, D.C. but not liking the conditions there, he returned home.⁶

Many freedmen felt the need to move, simply as the most obvious way of affirming their freedom. In this case, it was common for ex-slaves to be hired by neighboring plantations.⁷ The 1870 population census for Rockingham County showed that few planters employed their former slaves. Of those county freedmen who switched plantation employers, the majority remained in their familiar township or division, hence there was very little migration within the

county of former slaves.⁸

A few freedmen chose to remain with their former masters. This was often due to strong ties of affection, or the freedman having judged his economic opportunities to be no better anywhere else, especially if the black was well beyond middle age. One of the few examples of this stationary pattern in Rockingham County was on the J. W. Brodnax plantation. There were 23 black families named Brodnax employed among 31 black tenant families on the plantation in 1870.⁹ Ex-slave Charles Lee Dalton tenant farmed on his former master Lee Dalton's plantation. Dalton remembered, "Ole Marse was kind to us ...dee Yankees, day didn't give us nuthin so we had kind uh to live off'n old Marse."¹⁰

Some ex-slaveowners were not so benevolent. Numerous freedmen were denied the option of remaining on the plantation, and instead were "thrown from their homes" by their former masters.¹¹ One Rockingham County planter sent away three families. One of these was a woman with five children. The plantation mistress explained, "Her keep cost more than her labor would ever pay for ... The woman wanted to stay, but 'twas no use; her children were all small but one, and that one had a dreadful hair lip, so she couldn't talk plain ..."¹² Few if any of those who were turned off the land, as well as voluntarily moved, were given pay for their work on that year's crop or compensation for past years of labor.¹³

Thus, the freedman owned nothing but his freedom, and some did not survive. Mary Jeffreys Bethell, a plantation mistress in Rockingham County, wrote, "A great many slaves have left their homes and perished for want of food and shelter. Fourteen of ours have left,.. One woman has died that left us, Dellah."¹⁴ The freedmen were not totally left to fend for themselves in the early years of Reconstruction, for the United States Government provided assistance to help them adjust to their new situation.

The Bureau of Refugees, Freedmen, and Abandoned Lands, commonly known as the Freedmen's Bureau, was a Federal agency which loomed large in the lives of Southern freedmen between June 1865 and December 1868. The bureau provided blacks with aid and protection which they often found a rare commodity in the postwar South.¹⁵ The records indicate that in Rockingham County the Freedmen's Bureau distributed rations occasionally. Also the agency attempted, to some degree, to protect blacks against exploitation and mistreatment, to arrange labor contracts with employers, and to encourage black education.¹⁶ Yet the bureau was not equipped to deal with the black situation adequately for it was understaffed and overworked.

Rockingham County had no local Freedmen's Bureau agent but had to rely on the bureau's assistant superintendent at Greensboro in Guilford County for

support. The superintendent supervised six other counties as well. A Rockingham County freedman who sought redress for a real or imaginary injury had to travel perhaps fifty miles to present his complaint before the agent. There were no Federal garrisons which the bureau agent might call on to help enforce his rulings.¹⁷ Constant pressure on former slaveholders was needed to make them deal fairly with the blacks. The postwar difficulties between whites and blacks were due largely to the inability of the majority of whites, especially ex-slaveholders, to accept emancipation. Emancipation, in addition to wartime tensions, privations, and personal tragedies, naturally left many white families confused and bitter. Mary Jeffreys Bethell expressed it as "such a change in everything, such a revolution since we were given over into the hands of the Enemy."¹⁸ In essence, slavery had been more than a system of cheap labor. It had also insured white supremacy. The basic rationalizing attitude of the whites was that the black race was inherently and immutably inferior to their own. However, both the argument and the attitudes which it generated did not die with the institution and continued in the postwar South. Thus, following emancipation most whites believed that, while the black man was free from the individual master, he remained inferior in all aspects.¹⁹

Whites furthermore rationalized that it was their duty and moral right to discipline the black when he challenged his "proper" place in the social order. Historian Leon Litwack asserted that, of the countless cases of postwar violence, the largest proportion related in some way to the vaguely defined charge of conduct unbecoming black people. These included insolence, disrespect, and violating racial customs.²⁰ Freedman Roan Stewart of Rockingham County owed money to his former master who was also a storekeeper after the war. Trouble arose over settlement of the debt at which time Stewart "back-talked" the store-keeper and his plantation overseer, John Martin. The overseer reacted to Stewart's impropriety by hitting the freedman with a stick which broke his arm.²¹

Freedmen, no longer valuable slave property, quickly became easy targets for the violence of frustrated and angry whites. The Freedmen's Bureau superintendent at Greensboro lamented that "it's the first notion with a great many of these people, if a Negro says anything or does anything that they don't like, to take a gun and put a bullet into him, or a charge of shot."²² Such cases of white abuse of freedmen intensified in the county during Radical Reconstruction when black rights were legally recognized.

Southern whites were determined to retain as much of the old regime as possible, while blacks were equally determined to improve their situation. The educated black leaders tended to place primary emphasis on civil and political rights, particularly enfranchisement. But what the ordinary freedmen wanted

most was justice, land, and an education. Their interest in political activity was somewhat less intense.²³ However, when the 1865 North Carolina Constitutional Convention excluded blacks as delegates, freedmen throughout the state voiced their concern. Blacks met in North Carolina, September 29, 1865, to express their needs to the white state representatives.²⁴ Freedman Juba Dilworth of Rockingham County was a delegate to this Convention.²⁵ The blacks issued a plea not for the ballot, but for protection, justice, and schools.²⁶ They wanted only the simple, basic rights of all citizens which would enable them to help themselves and to prosper. The state convention turned a deaf ear to their plea. The Constitution abolished slavery in theory, and blacks were declared citizens of the state. Yet, the Convention relegated freedmen to essentially the same legal status of the antebellum free blacks, and delegates did not provide for black education.²⁷

The Presidential plan of reconstruction allowed conservative Southerners to form a political system similar to the one that existed before the war. The Conservatives represented traditional antebellum leaders who had worked to preserve slavery; after the Confederate defeat, they sought to maintain antebellum status quo in politics, economics, and social and race relations.²⁸ North Carolina citizens elected former slaveholders and ex-Confederate soldiers to serve in the new state government. In Rockingham County some of the same people participated in county government after the war who had been county officials before the war.

The conservative Rockingham County Court established a homeguard which was made up of all white males between 18 and 45 years of age, organized into companies and armed. The homeguard's ostensible purpose was to maintain order among whites as well as blacks, and repel armed bands of criminals that might operate in the county.²⁹ However, the guard, along with the county police, essentially took the place of the slave patrols of antebellum days. They kept watch on black activity to minimize theft, reinforce respectful black behavior toward whites, and guard against black terror anticipated as retaliation for slavery. One captain of the guard was much surprised and little pleased to learn from the Greensboro Freedmen's Bureau superintendent that he had no right to whip blacks whose employers found fault with them.³⁰ The bureau reprimanded John Gallaway, Captain of the Rockingham Police, for abusing a freedman whom he ordered given 75 lashes with a leather strap on the bare back. The county courts also dealt harshly with ex-laves accused of crimes. The Freedmen's Bureau charged Justice of the Peace John Thomas with abusing two black women and one black boy by his official order. Thomas had the three blacks strung up by the thumbs, and each received 39 lashes on his bare back.³¹

The county courts also apprenticed orphaned and single parent black children to their former owners for long periods of service. The Freedmen's Bureau saw this as "smacking too strongly of slavery," and they took over the apprenticing of black children.³² In Rockingham County the bureau continued to apprentice children to their former masters, but they required that the child be taught to read and write and provided with sufficient diet, washing, lodging, apparel, and a set sum of money at the end of the contract period.³³

Early in 1866, the North Carolina Legislature provided statewide the legal basis for the conservative view of the racial relations. The Legislature passed laws known as Black Codes which relegated blacks to a subordinate and repressed condition. The statutes established a labor system founded upon contracts drawn between planters and "persons of color." While the contract guaranteed blacks compensation for their labor, it also narrowed their maneuverability. Under this system, blacks mistreated by their employers could not change jobs. Therefore, contracts robbed blacks of their principal bargaining strength. The vagrancy statute curtailed blacks mobility and limited the grace period allowed for jobless blacks to find employment, thereby, literally forcing them into labor contracts. The criminal statute concerning theft contained an "intent" clause. Consequently, a black could be punished for theft if the court could be satisfied that the defendant intended to steal, even though the goods in question may not have come into his possession. Blacks dared not protest their plight too boldly for they could be prosecuted under a broadly written statute forbidding them to use "seditious" language.³⁴

Moreover, state legislators reinforced repression of blacks by denying the admission of black testimony against whites in a court of law.³⁵ Because of this legislation the Freedmen's Bureau tried to adjudicate all difficulties arising between the races. Yet the Legislature was determined to secure full jurisdiction for the civil courts. In June 1866 it revoked all statutes which made distinctions between blacks and whites in the judicial process. The action forced the bureau to transfer all its cases to the civil courts, except those involving labor contracts witnessed by the bureau. North Carolina Assistant Commissioner of the Freedmen's Bureau, Eliphalet Whittlesey, expressed his concern that the black citizen still had little chance of getting his due before the civil courts of the state.³⁶ In Rockingham County, blacks very rarely were found not guilty of crimes and often received harsher sentences than whites for similar offenses.³⁷ Judicial and political equality for blacks did not come until 1868.

After a brief exultation over the idea of freedom, most blacks realized that their position was hardly changed. Still they endeavored to make the most of their limited options. The black family joined together and set up its own

household, and exhibited great industriousness. Henderson Donald contended that the black family in Reconstruction was below the standard set by society for that institution.³⁸ Rockingham County evidence conflicts with Donald's assessment of the black family. The 1870 census showed that the overwhelming majority of county freedmen were living in two-parent households, often with elder adults included. Wives were able to devote more time to home management. Most married females withdrew from white domestic service and field labor following the war, and they listed their occupations on the census as housekeeping.³⁹

The records suggest that Rockingham County blacks worked hard to support themselves and their families. Freedmen's Bureau agent Asa Teal who spent three days in the county in October 1865 noted the large number of employed freedmen.⁴⁰ The occupations available to blacks changed little following the war. The majority of freedmen continued to be farm workers, while some were employed as domestics and day laborers. The local antebellum tobacco factories had used slave labor and continued to employ blacks after the war. As slaves, some blacks had been trained for particular skills such as blacksmithing, carpentry, and shoemaking. In the postbellum period they offered these services to the public to obtain their livelihood.⁴¹

All black family members contributed to the support of their homes. Wives raised gardens and chickens for food and took in people's washing. Ex-slave Catherine Scales sometimes worked as a midwife to earn money. The children labored in the fields with their fathers, or the parents hired them out. Young blacks stepped in and filled many of the domestic positions in white households vacated by their parents. Two white families in Madison employed young freedman Anderson Scales as a houseboy. His duties were sweeping floors, bringing in firewood, drawing and toting well water, keeping flies off the dining table and carrying out "slop" and garbage. Later local black Nat Wall, a blacksmith and farmer, hired Scales as a farm laborer. Scales later worked for a white planter.⁴²

Like most Americans, blacks aspired to something better and yearned for economic independence. The vast majority knew only an agrarian life and to these ex-slaves freed, respectability, and the good life were associated with farming their own land. August Meier and Elliott Rudwick asserted that the freedmen's desire for land reflected the American faith in land ownership, middle class virtues, and pioneer independence and spirit.⁴³

In 1865, for example, numerous freedmen in Rockingham County hesitated to enter into labor contracts for the future because they thought the Federal Government was going to give each of them a farm. Rumors of the government

giving all ex-slaves "40 acres and a mule" probably arose from misinterpretation of the law which established the Freedmen's Bureau. Union soldiers and unscrupulous land speculators further spread the idea of free land. The Freedmen's Bureau agent told Rockingham County blacks that the Government owned no lands in North Carolina and thus had none to give. However, the hope of free land died slowly.⁴⁴

A grim economic situation confronted most freedmen. Those blacks who had neither money nor land either had to work for the white planters or simply starve. The bureau agent encouraged Rockingham County freedmen to sign contracts and then obtain farms with the money they earned from their labor. Freedmen probably heeded the advice, for in the spring of 1866 the Greensboro Patriot reported that a large proportion of Rockingham's Negroes was behaving well and hard at work on the farms, making extraordinary exertions to produce large crops of tobacco and corn.⁴⁵

The white Conservatives were not prepared to accept the freedmen as independent farmers but desired to keep them as menial laborers, looking to the whites for sustenance and leadership. This arrangement would insure a cheap labor force for white plantations and protect against economic competition. Using the contract system, planters controlled the freedmen's labor. Some also attempted to regulate the personal liberty of their employees. On the Thomas Ruffin plantation in northeastern Rockingham County, the manager R. M. Abbott stated that his farm laborers "know [sic] very well they have got to work and act slave fashion or they can't stay with me."⁴⁶

"The Ruffin employees could not attend church on Sunday or leave the plantation for any reason without first consulting Abbott. Freedmen who violated this rule forfeited their share of the crop and were discharged with the pay of \$3.50 per month for labor completed. This was not even the price of slave labor before the war."⁴⁷

Since cash was scarce in the South, most farm laborers were paid with a share of the crop at the end of the season. Planters liked the sharecrop system because the freedmen had a vested interest in the crop. This insured that blacks would work hard to produce a good crop and stay until the produce was harvested. From the freedmen's point of view, a share of the crop meant more income than the standard labor wage.⁴⁸ In an 1866 contract between Rockingham County planter E. F. Scales and freedman Abraham Hairston, Scales furnished the horses and tools and provided Hairston one sack of meal and two and one-half pounds of meat per week. Hairston promised "to do faithfully and dilligently all work customary on a plantation and what may be required of him by ...E. F. Scales." Hairston also agreed not to molest the property. All the laborers employed by

Scales received one-fourth of the tobacco, corn, rye, oats, wheat, fodder, and hops. If the employees failed to comply with the contract, they were discharged with \$3.00 per month for labor. Some county planters gave their laborers one third of the crop, in which case the freedmen supplied their own farm equipment and received no provisions from the employer.⁴⁹

Freedmen viewed the sharecropping arrangement as temporary employment until they could accumulate enough capital to purchase their own farm. In theory the laborer was supposed to make a profit or at least break even. In reality the economic arrangement did not work to the advantage of the laborer. Many freedmen borrowed on their promised share of the crops placed to purchase food, clothing, household goods, and farm tools. Naturally poor crops placed the sharecropper in debt to the storeowner or planter. Rockingham County sharecroppers were in great distress in the spring of 1868 because the wheat was poor and the proceeds would not support the laborers. The price of merchandise was so high that the "croppers" were unable to make purchases, forcing them to take out more liens on their crops. The freedmen could not leave their crop and work a second job. This would break their contracts and cause them to lose the labor completed thus far on the seasons growing crop. Hence, the sharecropping system was perpetuated.⁵⁰

The fact that whites sometimes treated the blacks unfairly in their business dealings contributed to economic difficulties. There were several cases in Rockingham County of planters charging the freedmen exorbitant prices for supplies. Planter Samuel Mitchell sold supplies for prices reminiscent of the Confederacy's inflation period. For example, a pound of butter was fifty cents and a gallon of molasses was a dollar more. Mitchell also withheld the freedmen's share of the tobacco crop, letting it rot. The Freedmen's Bureau ordered Mitchell to pay each employee eighty dollars which was the estimated value of the tobacco before it was damaged.⁵¹ On the Ruffin plantation R. M. Abbott withheld four freedmen's share of the corn crop in case the tobacco did not bring enough money at the market to cover their debts to him. But the freedmen had no food to live upon during this time. The Freedmen's Bureau agent ordered Abbott to give the blacks at least part of their corn. Abbott threatened to burn all the crops rather than let the freedmen "trample" on him. He said he would evict twenty women and children from their homes if the debt was not settled.⁵²

Because black sharecroppers became bound to the land by a system of continuous debt, few freedmen were able to acquire land during the Reconstruction years. If a freedman did acquire enough money to purchase land, a white might refuse to sell him property. Moreover, those few blacks who managed to buy land were sometimes subjected to white violence.⁵³ By 1870,

less than 30 blacks owned land in Rockingham County. These propertied blacks possessed only a small portion of the total value of real estate owned in Rockingham.⁵⁴

The recorded occupations of the black county landowners were farmers, blacksmiths, housewives, teachers, day laborer, tobacco factory laborers and tanners. Within four years after obtaining his freedom, blacksmith Nash Gallaway had acquired twenty-five acres of land and personal property listed as follows:

1 small horse	\$75.00	1 cupboard	\$2.00
carryall and harness	50.00	2 wheels	2.00
1 loom	4.00	2 axes	3.00
9 chairs	2.00	1 turning plow	4.00
2 beds and furniture	20.00	1 shovel plow	.50
1 chest	1.00	1 coulter	.50
Table and water vesels	2.00	4 hoe (hilling)	2.00
2 guns	5.00	livestock and stored crop	<u>193.98</u>
			377.98 ⁵⁵

Few blacks acquired their land in the manner of Rose Collins of Rockingham. Mrs. Louis Whitworth and Scylla Bailey bequeathed their tiny farm to their former slave, Rose, because of her kindness to them in their old age. Also unique was freedman Porter Scales who drew a pension of \$100 per year for his services to the Confederate Government in hauling foodstuffs from Charlotte, North Carolina to Danville, Virginia. He was able to buy a 130 acre farm in the years after the war.⁵⁶

Although the proportion of Rockingham blacks who were able to purchase property was small, it was significant. These blacks helped disprove the claim that blacks could not survive in a competitive society. They demonstrated to their fellow blacks that their goals were attainable.⁵⁷

While freedmen tried to fight their way up from poverty, they also fought to escape ignorance. Freedmen of all ages displayed an eagerness for education. It had been against the law for slaves to learn to read and write. Blacks recognized that an education would enable them to guard their economic and political interests better. The planters weighed the crops and kept the accounts, which forced illiterate freedmen to depend upon their employers' interpretation of amounts owed. Most importantly, education was a symbol of equality and self determination. Freedman Anderson Scales highly valued his ability to read and write. Literacy contributed toward his position of leadership in the black church and was indispensable to him when he opened a general store.⁵⁸

The majority of whites regarded education for blacks as useless, if not harmful. They particularly feared that educated blacks would reject the subordinate status assigned them in the social order. The editor of the Greensboro Patriot asserted that Northerners coming south to educate the black would “instill into his mind very pernicious doctrines,” which would cause much trouble. Instead of being taught politeness as formerly, the blacks would learn impudence.⁵⁹ A few Southerners thought that freedmen should have access to education because, uninstructed and free, they would constitute a grave danger to society. Daniel E. Field (1831-1916) was a local Methodist minister in Leaksville who taught freed blacks to read after the war. He believed his efforts were repaid by the blacks’ “general good order.”⁶⁰

The North Carolina Legislature of 1865 abolished the common school system established before the war for fear that the Federal Government might demand that public schools be integrated. Consequently between 1865 and 1867, the Northern benevolent associations, the Freedmen’s Bureau, and the blacks operated schools for Afro-Americans in North Carolina. Highly motivated to improve themselves and their children, freedmen, despite their poverty, supported many schools on their own.⁶¹ The freedmen of Wentworth, the seat of Rockingham County, were anxious to have a school in 1867. The Freedmen’s Bureau agent requested that \$300 be appropriated from the bureau school fund to assist the blacks in building a schoolhouse. A local ex-slaveholder, and Confederate officer Wheeler Hancock (1817-1887), donated an acre of land for the school. There were 100 children waiting to attend the school. The freedmen bore the sole expense of employing the teacher.⁶²

When blacks gained political equality under Radical Reconstruction, they worked for the establishment of free schools for all children. The black and white Republicans at the North Carolina Constitutional Convention in 1868, mandated a system of public schools. Each county was divided into districts. One or more schools were to function in each district for at least four months of the year. County Commissioners would be prosecuted should they fail to comply. However, the Legislature sanctioned separate schools for blacks.⁶³ By 1870, Rockingham County had two black teachers, Matilda Phillips and Jane Richards teaching in black schools. There were 35 blacks and 322 whites attending school in the county in September 1870. The school attendance was low, probably because it was tobacco harvest time. Most farm children of both races had to work and help support the family. In October 1872, 131 black children were enrolled in school. While fewer blacks were enrolled in school than whites the black children had a higher average attendance. Thus, Southern whites finally made concessions to the desire of blacks for an education, but they did so with

the belief if they oversaw black education they could also control what blacks were taught.⁶⁴

The years of Presidential Reconstruction in North Carolina, 1865-1867, proved to be disappointing and frustrating for the blacks. The freedmen's desire for fairness under the law, just compensation for their labor, and an education was ignored by the state legislature. Moreover emancipation was restricted with the passage of black codes. Viewing the actions of the Southern states, Northern protagonists of the blacks believed that the Southern officials were attempting to revive slavery.

Republican politicians joined impatient Northern equalitarians in a movement to enfranchise the freedmen. The vote would help Southern blacks protect themselves and hopefully, at the same time, assist the Republican Party in its struggle for power in the South. But, the South refused to enfranchise the black man voluntarily.⁶⁵

Moderate and radical Republicans then joined together in 1867 and formulated the Congressional or Radical Reconstruction Plan in which the Southern states were organized into five military districts. In order to be readmitted to the Union each state had to hold a convention and draw up a new state constitution which recognized the blacks' right to vote. Some former Confederates were temporarily disenfranchised. Black and white delegates to the 1868 North Carolina Constitutional Convention produced a document which included universal manhood suffrage, elimination of all property and religious qualifications for voting and office-holding, and the popular election of state and county officials.⁶⁶

In 1868, black voters were primarily responsible for turning out the Conservatives and giving the Republicans control of the North Carolina state government and the majority of county governments. Blacks believed Republicans offered them their only hope of improvement.⁶⁷ In Rockingham County, voters ousted traditional Democrat leaders from power, and elected a Republican Board of County Commissioners which included one black member, Robert Gwynn. He was educated and had been a free black farm owner in Rockingham, before the Civil War.⁶⁸

County blacks experienced some improvements under Republican rule. The county court reviewed cases of black apprenticeship. A few children were returned to parents who proved capable of caring for them. Some were bound over to black guardians instead of white ones. Judges handed out less discriminatory court sentences, and discontinued the use of corporal punishment. Also courts called blacks for jury duty. The county operated free schools for blacks.⁶⁹ The County Commissioners' records for the two years of Republican

rule were apparently destroyed. Therefore, other improvements for Rockingham blacks could have occurred. Also no local newspapers in the county survive which would have indicated any change in the blacks' living or work situation. In Rockingham County white Republicans' commitment to racial equality and their interest in reform were limited, and seldom as intense as was their hatred of conservative Democrats. The newspapers outside of Rockingham County revealed a strong rivalry between the two local political parties. The major controversial action of the Republican Commissioners appears to have been the building of "Settle's Bridge" between Wentworth and Stoneville which increased county taxes.⁷⁰

Twentieth century journalist Hodding Carter correctly points out that, with few exceptions, the South's blacks were the pawns and not the gainers in the political upheaval of Reconstruction.⁷¹ In Rockingham County, blacks were caught in the middle of a political feud between conservative Democrats who had controlled county government before and during the war and the recently organized county Republicans who overthrew the Democrats and hoped to establish their own political dynasty.⁷²

It was the black who usually bore the most severe casualties from the political hostilities, yet white Republicans were also targeted. Several Rockingham Conservatives attempted to put Zach Groom, chairman of the County commissioners, in jail. A local resident maintained that the Conservative prosecutors, Dr. Simpson, General Francis Simpson, and J. W. Thompson, planned and arranged for Groom, who was white, to be convicted of offering three freedmen ten dollars to burn the three Conservatives' houses and kill their livestock. However, the blacks testified in favor of Groom. The Conservatives swore on the witness stand that the freedmen gave them the information upon which the warrant was issued. On the motion of Thompson, the blacks were arrested, and committed to jail to await a trial for perjury.⁷³

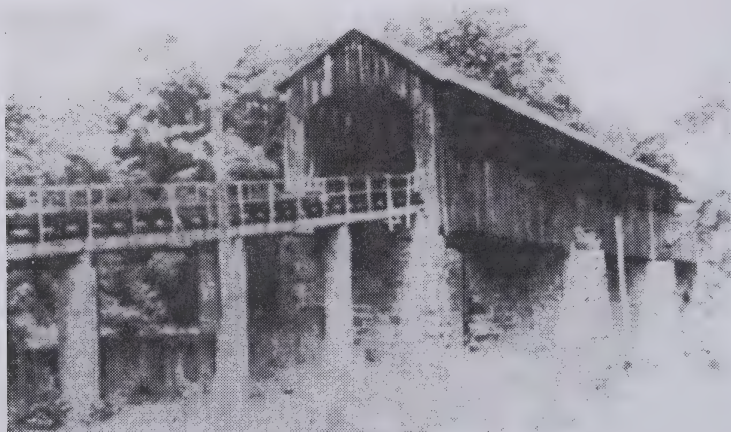
Both Republican and Democrat politicians manipulated and exploited the black voter. In a speech to local freedmen, Rockingham Republican leader Thomas Settle Jr. (1831-1888) warned them against building up a "colored party." He said a successful reconstruction and prosperity for all depended upon a Republican party supported by blacks. Republicans told blacks to vote the Republican ticket, even though they would lose their jobs and risk physical harm. The Republicans maintained that it was better for the blacks "to suffer now than to endure hereafter the intolerable burdens which the Rebel leaders would put upon you."⁷⁴

The Conservatives also made an appeal to the black voter for support of the Democratic party. Rockingham Democrat rallies and barbeques included black



Thomas Settle, Jr. (1831 -- 1888), Rockingham County native, jurist, leader of the Republican Party in the postwar South and United States Ambassador to Peru.

Courtesy of Our Proud Heritage



Settle's Covered Bridge, across the Dan River, constructed by James Traver for Rockingham County, 1869 -- 1870, and destroyed in 1951.

Courtesy of Bob Carter

citizens and occasionally an acceptable “Negro” speaker. This policy was not contradictory to the Conservative belief in white supremacy. The Conservatives argued that they knew better than the Republicans what was best for the black man in Southern society. At the same time, Democrats played on the whites fear of black terror to rob Republicans of white votes. At election time local Conservative newspapers deliberately stirred up racism with inflammatory descriptions of crimes by blacks. Most of the violent incidents reported occurred outside of North Carolina. Even so such political tactics reinforced whites prejudices against blacks and prevented whites from sympathizing with Republican objectives.⁷⁵

Radical Reconstruction policies served to increase intolerance of and violence against blacks in Rockingham County. The enfranchised black posed a serious danger to the Southern status quo. One Rockingham resident maintained that the county’s traditional political leaders were bitter about their loss of power and would go to any lengths to regain control.⁷⁶ Consequently, Conservatives found it convenient to direct their vengeance primarily against the black. Freedmen Bureau agent Hugo Hillebrandt reported that since the Rockingham County freedmen had voted the Republican ticket in the local elections, Rockingham landowners were determined to bring the blacks to the verge of starvation or to defraud them entirely from their share in the crop.⁷⁷

The main source of harassment of blacks and sympathetic Republicans in Rockingham County was the Ku Klux Klan. Secret society violence was not as severe in Rockingham County as in neighboring counties. Nevertheless, from late 1868 to 1870 Rockingham County endured a Ku Klux terror campaign. J. G. R. Hamilton maintained that in North Carolina the Klan was a justifiable and necessary response to a crime wave which allegedly accompanied black equality and Republican rule. Hamilton regarded the Klan movement as “primarily designed for protection and its influence upon politics was purely incidental.”⁷⁸

However, there is no substantial indication that crime increased greatly in Rockingham County, or that the existence of black lawlessness justified Klan activity there. Due to poverty and turmoil, crime did increase in the South during and following the Civil War.⁷⁹ Yet, whites as well as blacks were responsible for the increased crime rate. A rash of horse thievery in Rockingham County in 1866 involved whites.⁸⁰ Larceny, the most common black post-war crime, must be placed in perspective. Antebellum records reveal that slaves were indicted for robbery as well as murder in the county. But when comparing crime rates, one must remember that numerous black offenses such as theft did not show up in the court minutes because many slaveowners disciplined their own slaves. After the war, when economic conditions were especially bad, some freedmen, as had

slaves, appropriated what they needed to survive.

There are few recorded incidences of violent crimes by blacks in Rockingham County following emancipation. Officials reported no instances of rape committed by blacks the county between 1865-1870. In 1866, the county Superior Court convicted two blacks of murder and sentenced them to hang. Information exists about only one case. Freedman Willis Weatherly assaulted and robbed two blacks, Robert Gwynn and Dick Wright, after which Wright died from his injuries. Blacks committed no known murders in the county during Republican rule. However, a white man murdered a black woman during the period.⁸¹ Clearly black men were more often the victims than the perpetrators of interracial violence. The Freedmen's Bureau made semi-monthly reports on outrages committed in Rockingham County from July 1, 1867, to November 28, 1868. Whites committed seven outrages against blacks, while blacks committed two outrages against whites during the same period.⁸²

Thus, in Rockingham County apparently the Ku Klux Klan did not accost black criminals but primarily ordinary black men whom they charged with breaking interracial customs or being a Republican Party member. The violence usually extended to all blacks present during a raid, even women and children. Following Republican ascendancy in 1868, some Madison residents established a Klan organization. Soon two other Klan groups formed in different parts of the county. Groups of men in disguise committed outrages in the night.⁸³ Klan activities included burning houses, whipping men and women, beating with clubs, shooting, cutting, and other methods of injury and insult. One black family suffered terrible degradation. The Klan beat the sixty year old father, his daughter, and another man who was at their house. They then stripped the girl and forced the man to go through the motions of sexual intercourse with her, while the Klan scrutinized the act by candlelight. They forced the father to watch also.⁸⁴

Citizens were also chastised for challenging racial mores. A black woman was whipped for living with a white man, and two white women were whipped for being in the houses of black men. Jesse Garrett, a freedman, married a white widow with three children which greatly aggravated the citizens of their neighborhood. They were not allowed to rent a house in the Reidsville community. The Klan raided the Garrett's temporary campsite and burned all their belongings. Fearing for their lives, the Garretts moved to Greensboro to be near the Freedmen's Bureau agent.⁸⁵

The Klan accused freedman Ellis Walker of cursing his employer, Mrs. Sarah Waynick and voting the Republican ticket. For this he was stripped naked, tied to a tree, and beat with sticks until nearly dead. Mrs. Waynick stated that Walker

never used such language toward her, and he was a faithful worker. Another freedman, Watt Richardson, was also whipped severely due to his political ties. A black woman present during the raid cried out, provoking a clansman to thrust a burning stick into her mouth and stop her screams.⁸⁶ Organized violence against blacks frightened most freedmen into submissiveness.

By mid-1869, local Republicans and blacks found the state of affairs in Rockingham County intolerable. The Clerk of Superior Court, Thomas A. Ragland, informally recorded a total of 62 Klan whippings. The black community lived in dread of Klan violence, and the freedmen and white Republicans were powerless to stop the terror through ordinary judicial methods. Blacks risked death or bodily harm by reporting abuses or testifying against their attackers. Many victims were unable to identify their assailants, for Klan disguises were often very complete. The County Commissioners requested that Governor William W. Holden appoint a special term of Superior Court to be held for Rockingham County so that perpetrators of the crimes might be brought to justice. Members of the Rockingham Bar, who were among the county's leading Conservatives, fought the proposal denying need for such a court session.⁸⁷

In June 1869, Superior Court Judge A.W. Tourgee presided over the special court session which obtained 20 indictments against Klansmen. In the first case tried, the defendant, though positively identified as the attacker, presented a perfect alibi, and the jury found him not guilty. Judge Tourgee had no doubt that "the same course would be secured to everyone thus indicted." The cases were continued in the hope that impending trials would serve as deterrents to further violence. However, no one ever received punishment for the Klan offenses in the county. With the failure of the courts to relieve black suffering, blacks became demoralized. Numerous black citizens refused to serve on juries, preferring to pay fines, rather than incur the wrath of the Klan. Judge Tourgee requested Governor Holden to send either troops or detectives to Rockingham County to establish order.⁸⁸

Klan terrorism intensified before the election of August 1869 in an attempt to defeat the local Republicans. Blacks, as well as a few white Republicans, were whipped as a warning to those planning to vote Republican. A few days before the election, night raiders fired into freedman Moses Lomax's cabin, killing his daughter Mary. The Klan did their work of intimidation well, for blacks as well as many whites were "restrained from voting their sentiments by fear of outrage, extending even to death." The Republicans carried only three out of seven townships in the August 1869 election.⁸⁹ Klan activity gradually died down soon afterwards in part because of the Conservative victory and also because the county's most respected Democrat, former Governor David S. Reid, joined his

Republican brother-in-law, Thomas Settle in denouncing the "system of Ku Kluxing." Governor Holden sent General Fisher, a special detective, to the county, and Fisher helped establish peace and order. The county residents did not want the governor to send troops too.⁹²

Rockingham County was "redeemed" in August 1870 when Conservative Democrats won the county elections and the Republican County Commissioners left office. The Republican Party continued to function, but meaningful two-party politics and black political rights were curtailed. Officially, Reconstruction ended in March 1877 with the inauguration of President Rutherford B. Hayes and his subsequent withdrawal of the remaining Federal troops from the South. A Democratic Rockingham County paper, the Reidsville News, hailed these events as marking the "decline and fall of all practical equality, political or social, in this country, for the colored race."⁹¹ At the grass roots level, blacks quickly adjusted to harsh reality. Republican rule did not foster new behavior and attitudes toward blacks among whites. In time, Southerners enacted laws that deprived most of the blacks of the vote.

Thus, immobilized by share tenancy, dispirited by the Klan activity and the ultimate failure of Reconstruction, blacks gradually settled back into behavior whites found more acceptable. The blacks, after generations of learning to accommodate to the master in order to safeguard his own welfare, saw the expediency of coming to terms with the white power structure. Robert Cruden suggested that blacks practiced a subtle and complex code of behavior toward whites which satisfied white men while also enabling black men to keep measure of self-respect.⁹² This surface subservience allowed blacks to gradually improve economically and unify the black community without bringing down unbearable white disapproval.

By 1900 increased numbers of blacks had acquired property in Rockingham County, possibly due to a relenting of postwar bitterness. Also the county's increased economic growth fostered greater opportunities for all citizens. Small numbers of freedmen were hired at the local mills. Some blacks started their own businesses to meet the needs of the growing black community. By the 1880s, at least two blacks had become town merchants. A group of Madison blacks purchased an empty tobacco factory in the town for use as a fraternal hall. Many former slaves, like Charles Lee Dalton, toiled in the soil and persevered until they had saved enough to buy their own farms. Dalton sharecropped until 1892 when he was finally able to purchase his own land.⁹³ Consequently, progress was real, but excruciatingly slow and uneven for blacks. Emancipation had been only the first step on the long road to full citizenship.

In the face of great difficulties, Rockingham County blacks were able to cope

with the problems of living in a white society. Like all Americans, county blacks strived for justice, independence, and economic advancement. National black leader Frederick Douglass maintained that if white society would only untie the black man's hands and give him a chance, he would work as readily for himself as the white man.⁹⁴ Unfortunately, the white southerners exemplified the universal human trait of resistance to change. In Rockingham County freedmen received anything but equal, fair, and humane treatment. There were however individual acts of kindness and behavior toward blacks. However, the overall pattern was of oppression and violence toward blacks in the postwar years to maintain the antebellum political, economic, and social status quo. Yet, the freedmen set up independent households, helped establish schools, and worked diligently. Some acquired their own farms. Part of the black Southern slave heritage was the ability to look past harsh reality toward a better day in the future, and postwar blacks dug in their heels determined to achieve all their aspirations one day.

There is much work to be done in correcting the misconceptions about the freedmen, which, in turn, will promote a greater understanding of the plight of blacks in America. In Rockingham County the black race was not carefree and criminal during Reconstruction. This study was directly concerned with only Rockingham County, but it suggests the type of postwar experience that blacks underwent throughout the South. It also sheds light on the foundations of the race relations in the "New South." Much of the conservative Southern ideology displayed during Reconstruction lingered to the present day as seen in the violent opposition to the 1950s and 1960s Civil Rights Movement. Numerous writings on Reconstruction black elites exist, but there is a need for more critical local studies of blacks and white Republicans at the grass roots level. Such studies of black land ownership throughout the South would indicate the high degree of common black initiative. Also additional studies would illuminate the range of black action and courage displayed under postwar oppression.

FOOTNOTES

¹ J. G. R. Hamilton, Reconstruction in North Carolina (New York: Books for Library Press, 1971; first published in 1914), p. 453. For the traditional view of the black Reconstruction see William Dunning, Reconstruction, Political and Economic, 1865-1877 (New York: Harper and Row, 1907); Claude Bowers, The Tragic Era (New York: Blue Ribbon Books, 1929); and Henderson Donald, Negro Freedmen (New York: H. Schuman, 1952).

² For the revisionist view of the black in Reconstruction see Kenneth Stampp, The Era of Reconstruction, 1865-1877 (New York: Knopf, 1965); W. E. B. DuBois, Black Reconstruction in America 1860-1880 (New York: Atheneum, 1935); and Leon Litwack, Been in the Storm So Long: the Aftermath of Slavery (New York: Knopf, 1979).

³ U.S. Department of Commerce, Bureau of Census, Slave Schedule of the Eighth Census of the United States, 1860, Rockingham County, Microfilm; and U.S. Department of Commerce, Bureau of Census, Population Schedule of the Eighth Census of the United States, 1860, Rockingham County, Microfilm, hereinafter cited as "Population Schedule."

⁴ Rockingham County, Court of Pleas and Quarter Session Minutes, 1860; hereinafter cited as County Court Minutes.

⁵ In Rockingham County in 1860, the total population was 16,746 of whom 409 were free blacks, and 6318 were slaves. In 1870, there were 9493 whites and 6215 blacks. The Statistics of the Population of the United States: 1870 (Washington: Government Printing Office, 1872), pp. 53-54.

⁶ John Richard Dennett, The South As It Is: 1865-1866, ed. Henry Christman, (New York: Viking Press, 1965) p. 105. Dennett was a reporter for The Nation. He traveled through the South in 1865 writing articles on what he saw. Dennett visited Rockingham County in September 1865.

⁷ Litwack, p. 310.

⁸ Population Schedule, 1870.

⁹ Population Schedule, 1870, p. 28.

¹⁰ George Rawick, ed., The American Slave: A Composite Autobiography, 19 vols. (Connecticut: Greenwood Press, 1977) 14 :224

¹¹ Asa Teal, Assistant Commissioner of Freedmen for the District of Greensboro, to Col. Eliphalet Whittlesey, July 25, 1865, Records of the Assistant Commissioner for the State of North Carolina, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870 (Washington: National Archives Microfilm Publications, 1972); hereinafter cited as Freedmen's Bureau Records.

¹² Dennett, p. 105.

¹³ Asa Teal to Col. Eliphalet Whittlesey, July 27, 1865, Freedmen's Bureau Records.

¹⁴ Mary Jeffreys Bethell Diary, August 7, 1865, Southern Historical Collection, University of North Carolina, Chapel Hill, North Carolina.

¹⁵ The Freedmen's Bureau also aided destitute whites.

¹⁶ Beginning January 1869, the bureau's functions were limited to education and assistance in the collection of claims. The bureau was discontinued after 1872. Freedmen Bureau Records, pp. 1-2.

- ¹⁷ Dennett, p. 110.
- ¹⁸ Bethell Diary, March 29, 1866.
- ¹⁹ Claude Nolen, "Aftermath of Slavery; Southern Attitudes toward Negroes, 1865-1900," (Ph.D. dissertation, University of Texas, 1963), pp. 1-2; and Allen Trelease, White Terror; the Ku Klux Klan Conspiracy and Southern Reconstruction (New York; Harper and Row, 1971, p. xvi.
- ²⁰ Litwack, p. 278.
- ²¹ W. C. Mills, Assistant Superintendent of Freedmen, to the Military Commission, 1865, Freedmen Bureau Records.
- ²² Dennett, p. 110.
- ²³ August Meier and Elliott Rudwick, From Plantation to Ghetto (New York; American Century Press, 1970), p. 150; and Reidsville News, November 27, 1875.
- ²⁴ Out of 87 counties, only 42 counties were represented with delegates. Jacqueline Walker, "Blacks in North Carolina During Reconstruction, 1865-1870," (Ph.D. dissertation, Duke University, 1979), p. 163.
- ²⁵ Greensboro Patriot, August 27, 1868.
- ²⁶ North Carolina Standard, October 4, 1865; and Hugh Lefler and A. R. Newsome, The History of a Southern State: North Carolina, 3rd edition (Chapel Hill: University of North Carolina Press, 1973), p. 479.
- ²⁷ Lefler and Newsome, p. 480.
- ²⁸ Walker, pp. 159-160.
- ²⁹ County Court Minutes, 1850-1868, November 1865; and W. McKee Evans, Ballots and Fence Rails; Reconstruction on the Lower Cape Fear (Chapel Hill: University of North Carolina Press, 1966), p. 68.
- ³⁰ Dennett, p. 110.
- ³¹ Office of Refugees, Freedmen, and Abandoned Lands Bureau, Greensboro, North Carolina, October 31, 1865, Records relating to Court Cases, Freedmen's Bureau Records.
- ³² Hamilton, Reconstruction in North Carolina, p. 313.
- ³³ Indenture made between Asa Teal, Assistant Superintendent of B.R.F.A.L., Greensboro and Robert Richardson of Rockingham, February 9, 1866, Freedmen's Bureau Records.
- ³⁴ Public Laws of the State of North Carolina Passed by the General Assembly at the Sessions of 1866 (North Carolina: William E. Pell, 18, ch. 2, ch.60, ch. 57, ch 64; and Walker, pp. 175 - 176.
- ³⁵ Ibid., ch. 40.
- ³⁶ Col. Eliphalet Whittlesey to Gen. O. O. Howard, March 23, 1866, Freedmen's Bureau Records.
- ³⁷ Rockingham County Superior Court Minutes, 1866-1867, Office of the Clerk

of Court, Rockingham County Courthouse, Wentworth, North Carolina; hereinafter cited as Superior Court Minutes.

³⁸ Donald, pp. 74-75.

³⁹ Population Schedule, 1870. Leon Litwack found that many freedmen had it written into their labor contracts that wives would do a limited amount of field work. Surviving Rockingham County labor contracts only mention male laborers. It is possible that it was up to the black family whether the wives would join their husbands in the field, or be left to tend the home garden and find additional means to support the family. Litwack, p. 244.

⁴⁰ Asa Teal to Col. Eliphalet Whittlesey, October 19, 1865, Freedmen Bureau Records. In 1870 there were 30 paupers living at the County Poor House, of which 10 were black. Of these 10, one-half were greater than 70 years of age and three were males. Population Schedule, 1870, p. 45.

⁴¹ See Table 1.

⁴² Rawick, ed., 15:237-238, 240, 251; and Population Schedule, 1870. See Table 1 for breakdown of blacks living in white houses. More blacks living in white households were 15 years or less. Some of these were the children of adult domestic servants and some orphans, but they all did odd jobs and chores for the white employers. There was a tradition from the days of slavery of training small children at the master's house to be servants. Daniel Sutherland suggested that after the war white southerners preferred black children to black adults as servants. Children worked cheaper, they were easier to discipline and by taking a young person at an impressionable age, the employer could mold the Negro into a faithful, well-trained servitor. Daniel Sutherland, "A Special Kind of Problem; The Response of Household Slaves and their Masters to Freedom," Southern Studies 20(Summer 1981):164.

⁴³ Meier and Rudwick, p. 150.

⁴⁴ Asa Teal to Col. Eliphalet Whittlesey, October 19, 1865, Freedmen Bureau Records; Litwack, p. 402; and Walker, p. 64; Office of B.R.F.A.L., North Carolina, North Carolina, Circular No. 3, August 15, 1865, William Lafayette Scott Papers, Manuscript Department, Duke University Library. President Johnson's pardons allowed North Carolina Confederates to reclaim their confiscated land.

⁴⁵ Asa Teal to Maj. Gen. Thomas Ruger, June 8, 1866, Freedmen's Bureau Records; and Greensboro Patriot, May 11, 1866.

⁴⁶ J.G.R. Hamilton, ed., The Papers of Thomas Ruffin, 4 vols. (North Carolina: North Carolina Historical Commission, 1918 - 1920) 4:197.

⁴⁷ *Ibid.*, 4:195-196; and Ruffin Contract, January 1, 1867, Freedmen's Bureau Records.

⁴⁸ Origin of sharecropping during the Reconstruction period are still not fully understood. In some of the cotton areas planters contracted to pay wages, but blacks still worked in gangs and were withheld to the end of the harvest. Blacks resisted such a system due to its similarity to slavery. Many historians concur that in most areas planters and freedmen both preferred sharing the crop to wages. August Meier, "Negroes in the First and Second Reconstruction of the South," Civil War History 13 (June 1967):114-130.

⁴⁹ Agreement between E. F. Scales and Abraham Hairston (col.), January 25, 1866, Freedmen's Bureau Records; Donald, p. 13; and Population Schedule, 1870. On several of the plantations all the tenants owned the same small amount of personal property, which was very likely farm implements. Two hundred and forty-five blacks owned personal property in Rockingham.

⁵⁰ Hugo Hillebrandt to Jacob Chur, May 30, 1868, Freedmen's Bureau Records.

⁵¹ Hugo Hillebrandt to A. M. Scales, December 7, 1867, Freedmen's Bureau Records.

⁵² Hugo Hillebrandt to Jacob Chur, March 26, 1868; W. K. Ruffin to Gen. Miles, March 17, 1868; Hugo Hillebrandt to A. M. Abbott, Jan. 17, 1868, March 10, 1868, March 21, 1868; R. M. Abbott to Thomas Ruffin, March 16, 1868, Freedmen's Bureau Records.

⁵³ Trelease, xviii:

⁵⁴ Population Schedule, 1870; and Statistics, 1870, p. 50.

⁵⁵ Ibid.; Agriculture Schedule, 1870; and Rockingham County Record of Deeds, 2dY, 177, Office of the Register of Deeds, Rockingham County Courthouse, Wentworth, North Carolina.

⁵⁶ Rawick, ed., 15; 252-255, 258.

⁵⁷ One way for blacks to obtain property was to homestead on lands the government made available. Claude Oubre maintained that the Freedmen's Bureau contract labor policy proved detrimental to initial homesteading efforts. By the time blacks were on their feet and able to move, the only remaining land available for homesteading was refuse land. Claude Oubre, Forty Acres and a Mule (Baton Rouge; Louisiana State University Press, 1978), pp. 186-187.

⁵⁸ Rawick, ed., 15:241.

⁵⁹ Greensboro Patriot, July 22, 1865.

⁶⁰ Daniel E. Field, "Leaksville of 'Ye Olden Times,'" ed. Robert W. Carter, Jr., Journal of Rockingham County History and Genealogy 5 (June 1980):34.

⁶¹ During the 1866-67 session, the General Assembly passed two acts which allowed the county courts and cities to establish public schools supported by taxes. Few counties or cities opened white schools and virtually none for blacks. J. D. Whitener, "Public Education in North Carolina during Reconstruction

1865-1876," in Essays in Southern History Presented to J. G. R. Hamilton, ed. Fletcher Green (Chapel Hill; University of North Carolina Press, 1949), pp. 71-73.

⁶² Hugo Hillebrandt to Jacob Chur, November 29, 1867, Freedmen's Bureau Records. The fact that Hancock was a reputed leader of the Ku Klux Klan in Wentworth makes his donation of the land for the school, and later a church, for freedmen even more puzzling.

⁶³ Walker, p. 113.

⁶⁴ Population Schedule, 1870; Rockingham County, Superintendent of Common Schools, Minutes, 1870-1873, Department of Cultural Resources, Division of Archives and History, North Carolina, North Carolina; and Roberta Sue Alexander, "Hostility and Hope; Black Education in North Carolina during Presidential Reconstruction., 1865-1867," North Carolina Historical Review 53(April 1976):118.

⁶⁵ Congress incorporated black suffrage into the Fourteenth Amendment. In 1866, all the former Confederate states, except Tennessee, defeated the amendment. Allen Trelease, Reconstruction: The Great Experiment (New York 1971), pp. 72-78.

⁶⁶ Lefler and Newsome, p. 490.

⁶⁷ Otto Olsen, "North Carolina; An Incongruous Presence," in Reconstruction and Redemption in the South, ed. Otto Olsen (Baton Rouge: Louisiana University Press, 1980), p. 167.

⁶⁸ North Carolina Standard, June 9, 1868; and Population Schedule, 1860 and 1870.

Editor's Note: Robert Gwynn (c.1815-after 1901) was a free black farmer who resided and owned land in the present-day Williamsburg Twp. in Rockingham County before the Civil War. After the war he became active in the Republican Party and in 1868 became the first black elected to the Rockingham County Board of Commissioners. He lost his seat in 1870 when the Conservatives regained control over local government. Not until 1978 would another African-American, Clarence Tucker, be elected as a county commissioner in Rockingham. In the 1870s Gwynn purchased land from Thomas Settle, Jr. in the present-day Shiloh Community and settled there. An advocate of education for his race, he was instrumental in the establishment of Gwynn's School in his community in 1879. He died in the early twentieth century and was the last person buried in the now abandoned Wesley Chapel Methodist Episcopal Church, South Cemetery off Godsey Farm Road in the Shiloh Community. Rockingham County Deeds, Marriage Records, Census Records research by Robert W. Carter in 2002.

⁶⁹ County Court Minutes, August 1867-November 1868; Superior Court Minutes, 1869; Rawick, ed., 15:241; and Population Schedule, 1870.

- ⁷⁰ North Carolina Standard, September 28, 1869.
- ⁷¹ Hodding Carter, The Angry Scar: The Story of Reconstruction (New York: Doubleday and Co., Inc., 1959), p. 255.
- ⁷² North Carolina Standard, September 28, 1869.
- ⁷³ Raleigh Sentinel, September 22, 1869, September 25, 1869; and North Carolina Standard, October 5, 1869.
- ⁷⁴ Spring Garden Speech, March 1867, Thomas Settle Papers, Southern Historical Collection, University of North Carolina Chapel Hill, North Carolina; and North Carolina Standard, April 18, 1868.
- ⁷⁵ Trelease, Reconstruction, p. 150; and Greensboro Patriot, July, 1868; and Raleigh Sentinel, July, 1868.
- ⁷⁶ North Carolina Standard, September 29, 1869,
- ⁷⁷ H. Hillebrandt to J. Chur, May 13, 1868, Freedmen's Bureau Records.
- ⁷⁸ Hamilton, Reconstruction in North Carolina, p. 454.
- ⁷⁹ Otto Olsen, "The Ku Klux Klan; A Study in Reconstruction Politics and Propaganda," North Carolina Historical Review 39(July 1962):343.
- ⁸⁰ Greensboro Patriot, March 9, 1866.
- ⁸¹ Asa Teal to the Assistant Commissioner of North Carolina, November 16, 1865, Freedmen's Bureau Records; North Carolina Standard, August 11, 1869; Superior Court Minutes, 1870.
- ⁸² Senate Report, 42nd Congress, 1st Session, No. 1 (New York: Readex Microprint, 1868), p. 84-85; North Carolina Standard, May 12, 1869; and Freedmen's Bureau Record of Outrages, July 1, 1867 to November 28, 1868, Freedmen's Bureau Records.
- ⁸³ Judge A. W. Tourgee believed, but could not prove, that Democratic leader A. M. Scales knew about and sanctioned planned Klan activities. As Allen Trelease pointed out, Klan membership was drawn from all elements of Southern white population. Early organizers of the Klan in Rockingham were mid-age, upper-class slave-owners. Those most active in carrying out the terror campaign were young men in their early 20's. Of 42 Rockingham men named as Klansmen in the surviving records, 30 were located in the 1860 census. Eighteen were non-slave holders before the war, occupations were overseer or laborer. Twelve were members of slaveholding families, owning 1 to 15 slaves. Klan confessions, March 19, 1872, Alibion W. Tourgee Papers, Southern Historical Collection, University of North Carolina, Chapel Hill, North Carolina; Population Schedule, 1860; Slave Schedule, 1860; and North Carolina Standard, May 14, 1869.
- ⁸⁴ A.W. Tourgee to W.W. Holden, July 3, 1869, W. W. Holden Correspondence, Department of Cultural Resources, Division of Archives and History, Raleigh, North Carolina; T. Ragland to Thomas Settle, July 13, 1869,

Manuscript Department, Duke University Library.

⁸⁵ Ku Klux Klan Confession, March 19, 1872, Tourgee Papers; and August 7, 1868, Freedmen's Bureau Records.

⁸⁶ North Carolina Standard, May 14, 1869; and Senate Report, p. 85.

⁸⁷ Senate Report, p. 85; and A. W. Tourgee to W. W. Holden, July 3, 1869, Rockingham County Commissioners to W. W. Holder., May 12, 1869, Rockingham County Bar (Scales and Scales et als) to W. W. Holden, May 27, 1869, Holden Correspondence.

⁸⁸ A. W. Tourgee to W. W. Holden, July 3, 1869, Holden Correspondence; Senate Report, p. 85; and Superior Court Minutes, 1869-1872.

⁸⁹ North Carolina Standard, August 3, 11, 19, 1869; and Senate Report, pp. 85-86.

⁹⁰ North Carolina Standard, August 11, 1869. The evidence suggests that Reid sought to restore order to prevent a race war. Reid defended in court the Klansmen indicted for the murder of Mary Lomax and made his plea for order at that time. Thomas Settle testified before the Senate investigation that Reid "denounced the movement, and told them they [Klan] would put every man's life and property at the mercy of the mob if persisted to." Senate Report, p. 87.

⁹¹ Reidsville News, March 17, 1877.

⁹² Robert Cruden, The Negro in Reconstruction (New Jersey; 1969), p. 166.

⁹³ Rawick, ed., 14:224, 225; and Levi Branson, North Carolina Business Directory, 1884, reproduced in Journal of Rockingham County History and Genealogy 7 (June 1982):42.

⁹⁴ Dorothy Sterling, ed., The Trouble They Seen: Black People Tell the Story of Reconstruction (New York: Doubleday, 1976), viii.

Table 1
Rockingham County
Freedmen by Occupation
1870

Occupation	Residing in Black Houses		Residing in White Houses		Total
	all ages	over 21 yrs	16-21 yrs	15 yrs less	
Farmer	1912	78	70	64	2124
Day laborer	120		5	5	130
Tobacco Factory laborer	115	13	7	3	138
AX Handle Factory	2				2
works on Railroad	5	5			10
Porter	1				1
wagoneer	2				2
ditcher	1				1
hotel cook	1				1
Domestic Servant	159	43	43	76	321
cook	8	10			18
laundress		1			1
Professional/ school teacher	2				2
nurse		2			2
Commerce/ miller	5				5
boatman	4				4
manufacture	1				1
seamstress	1				1
Artisan/ blacksmith	30				30
carpenter	10				10
shoe and bootmaker	4				2
painter	5				5

Occupation	Residing in Black Houses		Residing in White Houses		Total
	all ages	over 21 yrs	16-21 yrs	15 yrs less	
tanner	2				2
cooper	1				1
rockmason	1				1
mechanic	2				2
wheelright	1				1
Paupers		10			10
Unreadable	2				2
Other/ keeping house and children at home	3234	27	1	111	3373
	5631	189	126	259	6205*

Source: Population Schedule, 1870.

*In 1870 the black population was 6215. In collecting data for the occupation table, ten people could not be accounted for.

A Time of Terror in Rockingham County, 1868-1870

Compiled by Michael Perdue and Robert W. Carter, Jr.

Preface

The following is a collection of letters and news articles related to an eighteen-month period of Rockingham County History little known to researchers. More specifically, these papers are related to a period from late 1868 through the spring of 1870- the time in which law and order in the county came to a near collapse with the numerous raids and outrages perpetrated by the Ku Klux Klan or the White Brotherhood. During this period the county and the state was under Republican control and some of the disenfranchised former Confederates resorted to scare tactics and violence to counter the activities of the black population and white Republicans. The Klan activities in Rockingham County have long been overshadowed by the seemingly more turbulent events in Caswell and Alamance counties. However, as the following documents and news articles will attest the events in Rockingham County, in many cases, were as bloody and terrifying as in the other counties. Murder, beatings, burnings, and retaliatory crimes against both races were all committed in Rockingham County beginning shortly after the adoption of the new state constitution and the Presidential election in 1868 and continuing well into 1870.

These documents, collectively or separately, and in the words of the actual participants tell a story of fear and uncertainty among the citizens of both races in Rockingham County. Diligent research has uncovered these documents, many of which are published here for the first time in well over a century. Attempts were made to identify key individuals mentioned in these documents but regrettably little information could be found on the local blacks who were for the most part laborers or farmers. Newspapers from Rockingham County from this time period apparently do not exist and one must rely upon papers from Raleigh and, to a lesser degree, Greensboro for particulars. The reader must bear in mind that these news accounts tended to reflect upon the political and prejudicial leanings of the newspaper editors. In the following collection the newspapers sympathetic to the Republicans and the Federal Government included the North Carolina Standard in Raleigh, and the Register and New North State in Greensboro. The Conservative press or that sympathetic to the Democrats included the Raleigh Sentinel and the Greensboro Patriot. Hopefully, interest in

this little-known chapter in the county's history will develop in the years to come.

LETTER:

Republican Citizens of Rockingham County to Governor W.W. Holden¹

His Excellency
W.W. Holden

Wentworth
May 12, 1869

Dear Sir,

The undersigned citizens of Rockingham County would respectfully represent that outrages upon the colored portion of our citizens are of frequent occurrence. Within the last month, men in disguise, at night, have inflicted cruel whippings upon some of our colored people. We have submitted to this state of affairs, until it seems, that our forbearance only invites these desperadoes to further violence.

We will not attempt in the space of this letter to recite a list of the many outrages that have been perpetrated, it is sufficient to say that the state of affairs is simply intolerable.

The object of this letter is to request your Excellency to appoint a Term of the Superior Court, to be held for this county, at as early a day as can be conveniently, in order that these men may be brought to justice.

It will probably require two or three weeks to investigate these crimes. It would be well therefore to appoint some time when no other courts will require the attendance of the Judge.

We have the honor to be with great respect,

Thomas A. Ragland
Z. Groom
C. J. L. Williams
John H. French
Robert Gwynn
Wm F. Windsor
C. L. Jones
Thomas Settle²

¹ Letter in the Governor William W. Holden Papers, Box 5, North Carolina State Archives, Raleigh, NC.

² Thomas A. Ragland, Republican, was Rockingham County Clerk of Superior Court from 1868-1874. Ragland was the only major Republican County official who survived in office after the Democratic victory in 1870. Zachariah Groom (Chairman), Williams, French, Gwynn, and Windsor, all Republicans, made up the Rockingham County Board of Commissioners from 1868-1870. Gwynn was

the first black elected to the Board of Commissioners. All of these commissioners were turned out of office in 1870 with the return of the Democrats to political dominance in the county. Green L. Jones, Republican, was County Registrar of Deeds from 1868-1870. Thomas Settle, Jr. (1831-1888), Rockingham County's leading Republican, had been elected Associate Justice to the North Carolina Supreme Court in 1868. Michael Perdue, Directory of Officials of Rockingham County," Journal of Rockingham County History and Genealogy, (hereinafter cited as Rockingham Journal) December 1991, pp. 53-87.

From: North Carolina Standard, 14 May 1869

Rockingham County:

We learn that the Ku Klux are committing outrages in Rockingham county. One case has been partially investigated; and the affidavits of the persons who were outraged state the following facts: on the night of the 7th instant, about 11 o'clock, Ellis Walker, a colored man, was sitting quietly in his own house, near Thompsonville, when the door was broken down by nine armed men, wearing masks. They rushed upon Walker and commenced beating him. He asked to know the cause, and they refused to tell him, except that they understood he had cursed Mrs. Sarah Waynock¹ and called her a liar; which he denied, and asked them to go to see her, about three hundred yards away. This they refused to do, but said they were sent there just to leave breath in his body. They then took him out, stripped him naked, tied him to a tree, and beat him with sticks until nearly dead. They charged him with having voted for the Republican ticket, and pointed to one of their number and said it was his brother Zach Groom, one of the Republican county commissioners; and that another was Judge Tourgee; and he could see what the Republicans cared for the d---d niggers.

Riley Totten says he was at the house of the said Walker when the gang entered, and was awakened by the noise. The first thing he saw was these men dragging Walker from the house. He was also taken and severely beaten, though not dangerously injured.

A gentleman who has seen Walker says his back is beaten almost to a jelly, and that he will never completely recover, and may soon die from the effects of the blows.

These facts are sworn to before E. Wheeler² and L. V. Marsilliott,³ two Justices of the Peace.

Joseph Waynock and Jesse Thompson have been bound over to answer to the charge of assisting in this outrage.

Mrs. Sarah Waynock states to one of the Justices that Walker never used such language toward her, she never heard him curse anyone; also expresses regret, because Walker was faithfully working for her, and without him she should lose her crop.

Outrages similar to this have been committed in several places in that

county. We do not know what is assigned by the Ku Klux as a reason for their fiendish deeds. No matter what it may be, no reason can exist under heaven sufficient to justify their taking the law into their own hands, and assaulting a man in his own house. There are laws in the state for the protection of the innocent and the punishment of the guilty. There are courts, there are sheriffs, there are jails, and there are executioners; and these poor men can be arrested, tried, and if found guilty of any criminal offense, convicted and punished. No man, or set of men, has the right to arrogate to himself the execution of what he may deem justice. The law is for his restraint as well as for his protection; and while it is strong enough to punish the weak when found guilty, it must be strong enough to protect them when innocent.

Gov. Holden is determined that the perpetrators of these outrages shall be brought to justice, and they will probably soon learn from experience that the law can give them that justice which they would deny their poor fellow-citizens.

¹ Sarah Waynick (1828-1875) was the widow of farmer Lewis Waynick (1818-1865) who died while in Confederate service. Their home in the Thompsonville (now Williamsburg) Community was dismantled and moved to the western part of the state a few years ago. Rockingham County Historical Society, The Heritage of Rockingham County, NC. 1983, Winston-Salem, NC, Hunter Publishing Company, 1983 hereinafter cited as Rockingham Heritage), p. 671.

² Ezekiel Wheeler (1799-1874) was a prominent farmer in the Williamsburg Community and was instrumental in the organization of Mizpah Methodist Protestant Church (now United Methodist) in 1850. Gravestone inscription, Mizpah United Methodist Church Cemetery, Rockingham County, NC.

³ Leonard V. Marcillotte (b. 1810) was a prominent landowner in the Williamsburg Community. He married Sarah Starret and a number of his descendants continue to live in that community today. Rockingham Heritage, p. 383.

LETTER:

Rockingham County Bar to Governor W.W. Holden¹

His Excellency W.W. Holden
Governor of North Carolina

May 27, 1869

The undersigned members of the Rockingham County Bar respectfully represent to your Excellency that the Special Term of the Superior County, appointed to be held for this county, is not required by the business of the Court, and that such Term is not desired, so far as they know by any body concerned in the Docket. They are informed and believe that it was recommended to your Excellency without the knowledge or approval of His Honor A.W. Tourgee, Judge of the District, or a single member of the Bar and they are unable to ascertain by whom such Term was recommended to your Excellency or any possible reason



Andrew Jackson Boyd (1836 -- 1893), attorney, Confederate officer, Rockingham County official and leader of the county Conservatives following the Civil War.
Courtesy of Historical Collections,
Rockingham Community College



Rockingham County Courthouse at Wentworth, built in 1824, remodeled in 1881 and burned in 1906. Photograph circa 1905.

Courtesy of Historical Collections,
Rockingham Community College

therefore. They are satisfied that your Excellency has been misinformed and respectfully present the facts of the case as follows: That there is not a single prisoner in Jail, nor is there such an "accumulation of civil or criminal actions, as to required the holding of a special Term for its dispatch"-that the Criminal Docket does not contain, as they are informed, a single case at present above the dignity of petty larceny- nor will a large majority of the cases on the Civil Docket be ready for trial and further that they can not be ready in consequence of a Rule of Court, adopted by His Honor at the last Term and ruled upon and approved by the Bar- giving until thirty days upon the next regular Term to "make up issues" that there are no cases whatever requiring any special urgency of action- that the regular Term in which all the business can be transacted, follows within three months after this special Term and that the latter occurs at the busiest season of the year- in the midst of harvest and is a nuisance rather than a benefit to the community.

Your petitioners therefore respectfully urge Your Excellency to revoke the Commission for holding of said Term- as entailing a heavy and useless expense upon the County and the citizens as well as putting the latter to great inconvenience for no good.

May 27th, 1869

Respectfully,

Scales & Scales

Boyd & Ward

W.N. Mebane

E.D. Scales

J.T. Morehead, Jr.²

¹ Letter is in the Governor William W. Holden Papers, Box 5, North Carolina State Archives, Raleigh, NC.

² These members of the Rockingham County Bar were: Alfred M. Scales, Junius I. Scales, Andrew J. Boyd, Robert H. Ward, William N. Mebane, Erasmus D. Scales, and James Turner Morehead, Jr.

LETTER

Albion W. Tourgee to Governor W.W. Holden¹

Seventh Judicial District of North Carolina
Judge's Office, Greensboro, July 3rd, 1869

Gov. W.W. Holden

Sir:

I have just returned from holding the Special Term of the Superior Court for Rockingham County which I was commissioned to hold by Your Excellency. In a short time I will make an explicit and full report to the Secretary of State as required by law of the business of the term. In advance of this however, and as an officer interested most deeply in the preservation of peace and order in that County, I feel it my duty to report to you the state of feeling now existent therein and the circumstances affecting all parties in order that Your Excellency may be officially advised thereof and may take such steps to preserve the peace in said County as may to you seem proper, should you deem it necessary.

Several bills including some twenty or more persons, were found by the Grand Jury. In these cases the identification in despite of masks was sufficient to satisfy the Grand Jury. Very many cases of very serious outrages, were however, brought to the attention of the Grand Jury and the court in which the connection between the act and any identified persons could not be clearly, and in some of them not at all, established. In some cases the disguise was so perfect, or the acts of violence were performed by strangers, so that identification was utterly impossible. In some cases the commission of the acts of violence, was only revealed by accident, and in others the parties were so fearful of their lives that they begged to be permitted to refrain from testifying and in other instances they fled the county lest they should be compelled to testify and then murdered in revenge for having done so. The acts are of almost every degree of atrocity, burning houses, whipping men and women, beating with clubs, shooting, cutting and other methods of injury and insult. These acts are always committed by men in disguise, in the night-time and almost invariably upon negroes, sometimes- I think there are four known instances in that county- upon white men or women. In these instances the two men were Republicans and were assailed as such; the two women were in the houses of colored men. From the best information that could be procured, I think about 20 known instances of such outrage have occurred in the county. One of the parties indicted was tried and through his identification by the party beaten was most complete and positive, he proved a perfect alibi without a particle of trouble. The jury very properly rendered a verdict of "not guilty"- I was convinced from the character of this alibi that the same course would be secured to every one thus indicted and an equally clear defense made- I have no idea that one of these men can be legally convicted of the crime. I believe that any one of them can prove himself to have been just where he chooses, at the time of the commission of the act with which he is

charged. With this view I directed the Solicitor to continue all such cases believing that an impending trial would have a better effect than trial at once without conviction, which was accordingly done.

During the first three or four days of the Court considerable turbulence was manifested and it was openly declared that no man should be arrested, imprisoned or held to bail upon such charges. This feeling gradually subsided and some arrests were made without difficulty. Other parties fled the country. Upon one of the last days of the term, with a very full court room, I took occasion to say that I expected that retaliatory measures would soon be inaugurated by outraged citizens and that the fancied terrors of a slave revolt would be eclipsed by what they would then witness should that be the case.

Of the portion of the community who feel themselves liable to become the objects of such violence, one part are in an agony of fear, either from apprehension of injury or a dread of retaliation by the more resolute. The latter class are simply desperate. They waited with great patience for court to come and release and protect them. They see now that these are crimes which no court can reach and are determine that they will do it. If they can do no better they will inaugurate a general system of retaliation and repel masked violence, by hidden destruction. Such a state of affairs I consider imminent, and I consider it important that some measures should be taken in the premises. What these measures shall be I leave to your better judgment. I would suggest that they expect troops to be sent there. Perhaps the fear of this might be better than the fact in effect. One or two good detectives to keep watch of affairs may be all that is necessary and the best that can be done.

Very Respectfully,
Your obt. servt₂
A.W. Tourgee
Judge & c.

¹ From Governor W. W. Holden Papers, Box 6, North Carolina State Archives.

² Albion W. Tourgee (1838-1905), attorney came to North Carolina after the Civil War and settled in Greensboro. He was elected a Superior Court Judge in 1868 and was instrumental in the adoption of the new state constitution that same year. A leader in the Republican Party, Tourgee was a hated enemy of the Ku Klux Klan and unpopular with most conservative white Southerners. Disillusioned, Tourgee returned North, authored several novels (some of which based upon his experiences in the South) and was appointed U.S. Consul at Bordeaux. Otto H. Olsen, Carpetbagger's Crusade: The Life of Albion Winegar Tourgee (Baltimore, John Hopkins Press, 1965).

From: Greensboro Register, 7 July 1869
Rockingham Court

During the last week, his Honor Judge Tourgee has been holding a Special Term of the Superior Court for Rockingham County. We understand that a large amount of criminal business was done and will give a more specific account next week. We learn that about a dozen bills were found against different parties, for acts of violence done by gangs of disguised ruffians. Men have been shot in their own houses; the houses burned down over their heads, men and women inhumanly whipped and beaten by these armed night-marauders. More than twenty cases have occurred in the county, though in many instances the identity can not be sufficiently established to justify an indictment. The acts, however, are clearly provable and fully justify the determination to which so many law-abiding citizens have arrived to put down these outrages and their perpetrators, by due course of law if possible- *by armed force and active retaliation, if they must.* [Italics original]

From: Greensboro Patriot, 15 July 1869
KKK

The [Raleigh] Register of last week experienced a horrible nightmare over alleged outrages in Rockingham [County]. At the special term held for that county by Judge Tourgee, the ringleader, Dr. Dandridge,¹ was arraigned and prosecuted with a view, but the gentlemanly Solicitor, Mr. Bulla,² so completely failed to make out a case, that upon the Doctor being acquitted without even a stain upon his character, he plead ill-health and had the other cases continued until after the August election. Conservatives understand this.

¹ Dr. Thomas W. Dandridge (c. 1836- after 1876) was a physician in Madison, NC following the Civil War. A native of Henry County, Virginia, he was a descendant of Royal Governor Alexander Spotswood of Virginia, served as a Texas Ranger and Prison Surgeon during the Civil War. He is buried in the Madison Presbyterian Church Cemetery. Madison Messenger, 12 January 1994.

² James R. Bulla was from Randolph County, North Carolina and an active Republican following the war in the Asheboro area. He soon moved his practice to Guilford County and eventually settled in High Point.

From: Raleigh Sentinel, 18 August 1869

News from Ruffin Station, Rockingham County
14 August 1869

Mr. Editor: -- Rockingham is redeemed, we carried four Townships by large majorities, divided two with the Radicals, and lost but one. Our majority total in the county does not fall short of 300.

Our people are patient and look forward with hope to the time when they will throw off the present tyrannical and oppressive rule. We are gaining every day.

Captain Settle¹ of the Confederate army came home from Raleigh bringing with him Stephen Douglas,² Joseph Holden³ and a son of Cetoc Harris,⁴ to read law. A few days after these came, a Mr. Fisher,⁵ Holden's Adjutant General and Chief of Detective forces, the same who called on you for a "statement of honor." The object of his visit was to consult about the propriety of sending the militia to Rockingham. We went to see Captain Settle and D. M. Mallory⁶ for their opinion. He remained four or five days, in which time Captain Settle had some alleged Ku Klux arrested and brought before him. Mr. Dillard,⁷ Colonel Scales and Gen. Scales appeared before the defendants. Captain Settle informed these gentlemen that they could not appear before him. In as much as they had filed no answer in the Supreme Court to the rule against B. F. Moore and others.

Counsel asked if he, the Captain, intended to make a rule upon them to answer him in his capacity of a Magistrate, for he was not acting as a Judge but as a Magistrate. This took the Captain all a back. He said it was true, this was not a Court of record and he had no power to put counsel under rule, but they must answer this Supreme Court rule, he would endorse it and send it to the clerk and then counsel could be heard before him. The counsel said, when they appeared before that Court, they would answer, but they could not do so at the bidding of his Honor.

These gentlemen were not allowed to be heard before Captain Settle, Governor Reid, who had not appeared at the bar for twenty years, no doubt hurt at seeing his brother-in-law made an ass of himself, because he happened to be a Judge, volunteered his services for the defendants without money or price. The Captain ordered the defendants to be bound in the sum of \$5000, which was afterwards reduced to \$3000.

I hear that there was great excitement on the part of the people at Capt. Settle's ruling. Every man was indignant at it except the Captain himself and a few negroes who were witnesses, and they were contradicted, time and again, by the best men of the County. The bail, too, was regarded as excessive. There is hardly a decent white man in the County who would not have stood as bail for the defendants; as it was, forty men signed the bail bond.

A short time before this trial, Joe Holden and Stephen Douglas, Capt. Settle's law students, made speeches to the negroes, and greatly disgusted the white population. This, with Fisher's visit, coming upon the eve of the election, enabled us to beat them, horse, foot, and dragoon.

Capt. Settle and Chicken Stephens⁸ have been all-powered in Rockingham.

The Captain has been emphatically the autocrat of Rockingham. He built the \$10,000 bridge, he helped to call the Court; he helped to bring up the detective carpetbagger Fisher. The coming of Fisher, no doubt, was known to Capt. Settle before he left Raleigh, and agreed upon by Settle, Fisher and Holden.

Capt. Settle pretends that he tried to keep back the militia but no one believes him. He rules our Commissioners; he is said to have first suggested the rule for the contempt to the Supreme Court. I believe you published that Judge Pearson said he was "d---m sorry Settle had called the solemn protest to the attention of the Court." Captain Settle, if reports be true, gave five dollars to the keeper of a grog shop for the election. Old Stokes has done gloriously, and we have carried every township in the County except one. Good news comes to us from almost every township in the neighboring Counties. We think the days of Capt. Settle and Chicken Stephens are numbered in Rockingham.

Yours, N.

¹ Judge Thomas Settle, Jr.

² Stephen A. Douglas, Jr. (1850-1908?), was the younger son of United States Senator and Presidential nominee Stephen A. Douglas and his first wife Martha D. Martin of Wentworth. He was active in Republican politics in Rockingham County and North Carolina following the Civil War and into the 1870s. He served in the state militia and was a detective for and aide to Governor William W. Holden. He eventually moved to Chicago and faded into a rather unaccounted and mysterious obscurity. Stephen E. Massengill, *The Detectives of William W. Holden*, North Carolina Historical Review October 1985, p. 479.

³ Joseph W. Holden (1844-1875) was the son of Governor William W. Holden, a poet, newspaperman, state legislator and Speaker of the North Carolina House of Representatives. He was active in state Republican activities and at the time of his death was Mayor of the City of Raleigh. William S. Powell, ed. Dictionary of North Carolina Biography (Chapel Hill, UNC Press) Vol. V, p. 167. Hereinafter cited as DNCB.

⁴ John Cebern Logan Harris (1847-1918) studied law under North Carolina Supreme Court Chief Justice Richmond Pearson and Associate Justice Thomas Settle, Jr. He was a successful attorney, Republican leader who worked closely with Governors Holden and Russell, and was North Carolina correspondent for the New York Times and Chicago Herald. DNCB, III, pp. 53-54.

⁵ Abial W. Fisher (1834-1895), a native of Vermont, was Adjutant General of North Carolina from 1868-1871. He was a member of the state constitutional convention in 1868 and a Republican state legislator from Bladen County. He died in Washington, DC. As state adjutant general Fisher was in charge of a force of detectives who were primarily employed to spy on Klan activities. Massengill, p. 453.

⁶ David M. Malloy (1833-1902) was a farmer and leader among Rockingham County Republicans. He was apparently an employee and confidant of Judge Thomas Settle, Jr. Malloy eventually settled in the Sandy Cross Community southeast of Wentworth where a number of his descendants reside today. Gravestone inscription, Kallam's Grove Christian Church Cemetery, Rockingham

County, NC.

⁷ John H. Dillard, elsewhere identified.

⁸ John Walter Stephens (1834-1870) was a native of Guilford County who lived in Leaksville before settling in Wentworth in the late 1850s. While in the latter town he was accused of and jailed for stealing a neighbor's chickens hence his nickname, penned by his enemies, "Chicken" Stephens. Moving to Caswell County he became active in Republican and Freedmen activities, was elected to the State Senate from Caswell and served as a detective, for Governor Holden. These activities and his close association with the unpopular Carpetbagger Superior Court Judge Albion W. Tourgee made him a target of the local Klan which engineered Stephens' murder in the Caswell County Courthouse in May 1870. A.J. Stedman, Murder & Mystery of the Life and Death of John W. Stephens, State Senator of North Carolina from Caswell County, (Greensboro, NC, Patriot Print, 1870).

⁹ Richmond M. Pearson (1805-1878), noted attorney and law teacher in Yadkin County served as a justice in the North Carolina Supreme Court from 1849-1878-the last nineteen of which as Chief Justice. He joined the Republican ranks in 1868. DNCB, V, pp. 49-51.

From: North Carolina Standard, 18 August 1869

For the Standard.

Rockingham County - Ku Klux Outrages
- Judge Settle - The Protesting
Lawyers - Elections, & c.

On Saturday night, the 24th ult., a party of Ku Klux visited the cabin of a colored man named Moses Lomax, in the southwestern portion of the county, broke open the door and shot Mary Lomax, the daughter of Moses, through the head, while she was in the bed, killing her instantly, and then proceeded to maltreat others who were in the house. Lindsay Cummings, a colored man, was taken out, roped and beaten by three villains. The body of Mary Lomax, whence life had departed, was also beaten as it lay bleeding in the bed, so that an investigation showed the damning marks of the brutal treatment of a woman's corpse.

A coroner's inquest was had, but owing to the hostility of the community nobody was found guilty, though Lindsay Cummings swore to three of the assailant's, viz: Pat. Simpson, Zan Barham and Thos. Hutson. The foreman of the coroner's jury was the father of one of the accused and helped to find his son innocent. Under the circumstances the coroner despaired of doing justice and sought legal advice. Lindsay Cummings repaired to Judge Settle, who immediately issued a warrant for the three accused. The trial began at Wentworth on Monday and closed on Wednesday last. Hutson was discharged, but his Honor held Simpson and Barham to bail to answer for the murder in the sum of \$3000 each, solvent security, in default of which they went to jail for the present.

Judge Settle has determined to sit during the whole vacation of the Supreme Court if necessary, administering justice to the evil, and extending protection to the weak, and order to suppress the outrages which have disgraced Rockingham county. He will hold court again next week, when a somewhat similar Ku Klux outrage will be investigated. All honor to this fearless defender of law and order.

Hon. D. S. Reid appeared in the first named cause for the defendants. His well timed remarks will have a good effect in this county. He warned the people of the dangers of the system of kukluxing and secret societies and drew a graphic picture of the sufferings that would ensue unless it was abandoned. He thus sustained his former reputation for honesty and integrity.

Judge Settle ruled out the protesting lawyers, A. M. Scales and others from his court. He held that if they had sent their apologies to Mr. Bagley, Clerk of the Supreme Court, singly as well as en masse, they must stand out in the cold as far as he was singly concerned. . . .

The election of yesterday passed off quietly, owing to Judge Settle's firm stand for peace and good order, and the unexpected arrival of Gen. Fisher in the county. But the Ku Klux had done their work of intimidation but too well. The Republicans carried only three out of seven townships. Rockingham will do better next time.

DELTA., Rockingham County August 6, 1869.

From: North Carolina Standard, 6 October 1869

Affairs in Rockingham County

Mr. Editor; in the Raleigh *Sentinel* of September 22nd, there was an article, written by its editor from Reidsville, which contained so many misrepresentations, not to say knowingly false statements, that justice calls for a true statement of facts.

I will notice first the recent trial of Mr. Zack Groom¹ Chairman of the Board of Commissioners, for attempting to incite three negroes to burn several houses and commit depredations on stock.

On Sunday, the 12th of this month, Dr. J. H. Simpson² met, as he was going to church, a negro by the name of Lewis Watt, who stopped the Doctor, and told him that Zack Groom had been trying to hire his (Lewis's) boys to burn the house of Gen. Simpson,³. Dr. Simpson and J. W. Thompson, and kill their horses. Upon this information, corroborated by Alex and Julius, son of Lewis Watt, Richard Ray issued a warrant and Mr. Groom was arrested the same day at church.

The trial was to have taken place at Reidsville, before Mr. Ray⁴ at 8 o'clock on Tuesday after the arrest. When the prosecutors made their appearance, Mr.

J. W. Thompson, who appeared to be highly delighted at the prospects of bringing a Republican officer into disgrace and ruin, objected to having the case tried before Mr. Ray, and put on airs sufficient to have been committed for contempt, because Mr. Ray said, when he issued the warrant, unless the testimony was stronger than what he had heard he would not bind Mr. Groom to court. Whereupon Mr. Ray consented for Mr. James Starritt to hear the case.

The trial ended Thursday at one o'clock. The prosecutors put forth every effort to establish the guilty of Mr. Groom and have him bound to court. When put upon the stand, Lewis Watt and his two sons testified that Mr. Groom had not attempted to hire or incite them to burn the houses of the gentlemen aforesaid; neither had he told them to kill his horses.

These three witnesses were expected to fasten guilt upon Mr. Groom beyond a doubt, and their testimony being in his (Mr. Groom's) favor, threw such a bombshell into the camp of his prosecutors that they dismissed the case, each party paying his own cost. The following paper was given to Mr. Groom, signed by all the prosecutors and witnessed by Mr. Starritt: "We, the prosecutors, do hereby certify, that we withdraw all censure from Mr. Z. Groom; and from the *testimony*, all the charges."

Thus was Mr. Groom completely vindicated. Dr. Simpson, Gen. Simpson and J. W. Thompson were put upon the stand, and they testified that Lewis Watt and his two sons did give them the information upon which the warrant was issued, and that they had no other reason to give for their action in the matter.

On motion of J. W. Thompson, Lewis Watt and his two sons were arrested and in default of bond, were committed to jail, to await a trial for perjury.

Such are the *facts* connected with this case. I know whereof I write. It is believed that there is something behind the curtain as to the origin of this case that the public is not acquainted with. What that something is, I know not. It must be remembered that all this excitement, arrest and trial took place in what is known as the Ku Klux portion of this county. There is good reason to believe the several of the prosecutors belong to the Ku Klux Klan, and that the raids, depredations and murders committed in this county can be truthfully laid at their door.

The *Sentinel* says Judge Settle and Ragland, the clerk, and many of the scalawag family were on hand to testify as to the character of Groom. The gentleman mentioned were on hand to aid an honest man in Republican county officer as far as they could, compatible with justice and public safety.

The *Sentinel* endeavors to create the impression that Mr. Groom said if it was not for His religion, that he (Groom) would head a party of men and burn every house on the North side of Dan River. Mr. Groom said no such thing. Mr. Groom did say if Tom Settle was Ku Kluxed, that he would be one of a hundred men to burn the houses of every Ku Klux on the North side of Dan River. Other men, as good citizens as the county contains, have said the same thing. The Republicans of this county have submitted to the depredations of the Ku Klux until forbearance has ceased to be a virtue. Conscious that they, the Republicans have done nothing to be taken up or whipped, as the case may be, they are prepared for any "demonstrations the Ku Klux may hereafter make."

A great deal of fuss has been made over the building of the bridge across Dan River. The Commissioners advertised and gave as much publicity to the matter as possible; and on the day set for letting of the contract, a large crowd assembled at the place where the bridge is being built, and the contract was let to a Mr. Traver, for ten thousand dollars. There was nothing said against the bridge until one A. M. Scales, of Brigadier General notoriety in the Confederate army commenced to agitate the question of putting a stop to the erection of the bridge. This was after the contract had been signed, sealed and delivered, and the work on the bridge commenced. Mr. Scales thinking the bridge a good horse to ride to Congress next year, spread himself. He told the people that he would be their Moses; that if they would raise fifty dollars in each township, that he would take the money and see that the bridge was not built. The result has been, that the people, acting according to the advice given them by their would-be Moses, in the clumsy, fat overgrown personage of A. M. Scales, did not pay their taxes as readily as they would have done; and in this manner, according to the programme and advice of Mr. Scales, the agreement to pay Mr. Traver twenty-five hundred dollars on the 15th of August last has not been complied with; and there is a fair prospect that the County will be compelled to pay two thousand dollars more for damages incurred by Mr. Traver in not getting the money according to agreement. If such should be the case, Mr. Scales should pay the money himself. He is to blame for the whole matter.

There is no safe way of crossing Dan River between Madison and Leaksville, a distance of sixteen miles. The bridge is halfway between both places. It will be a great convenience to the whole county; and there would have been nothing said against the building of the bridge, but for the howl raised by men who had nothing to lose, and who wished to lay the ground works for a sale for Congress next year.

A great deal of fuss has been made over the tax to be raised in this county. It is about the same this year as it has been heretofore. The people throughout the whole State would have paid their taxes more cheerfully but for the drought. The people of this county would have paid theirs cheerfully and willingly, but for the agitation gotten up by the demagogues who pay no taxes, and who expect to bamboozle the people by a great amount of gab for the purpose of procuring the nomination for Congress for A. M. Scales.

The best reason why there has been so much devilment going on in this county to the ruin and distress of the people is, that a certain set of men who held the county offices from "time whereof the memory of man runneth not to the contrary."

Men swindle and grew rich by misapplying tax revenues of the county are now set aside, and men who have more respect for honesty and the impoverished conditions of the people administer the affairs. The Ku Klux Democracy of this county are so determined to get control of this county and the next election that they will do anything from murder down. They have done so up to this time. There is no Walkerism in this county. But for the prevalence of a few men this county would be as bad if not worse than Jones and Lenoir.

¹ Zachariah Groome (1828- 1904), was a farmer and mill owner in Rockingham County. A Republican, Groome served as Chairman of the County Board of Commissioners. In the 1880s he and his family moved to Guilford County and established the Groometown Community south of Greensboro. Gravestone inscription, Groometown United Methodist Church Cemetery, Greensboro, NC.

² Dr. Joseph H. Simpson (1838-1893), the son of General Francis L. Simpson, was a prominent physician who practiced in Rockingham, Caswell, Guilford and Alamance counties. He resided at High Rock Farm in southeastern Rockingham County. Robert E. Greene, ed. "Dr. Joseph H. Simpson's Birth Books," Rockingham Journal, June 1988, pp. 34-35.

³ Francis L. Simpson (1798-1873) was a prominent landowner in Rockingham County, state legislator and a general in the state militia. In 1848 he purchased the High Rock plantation where he lived for the rest of his life. Tempie H. Prince and Margie P. Greene, "High Rock Mill and High Rock House," Rockingham Journal, December 1979, pp. 56-57.

⁴ Richard H. Wray (1825-1907) was the railroad depot manager at Reidsville for a number of years. He was also town postmaster and prominent in the Methodist Church there. Gravestone inscription, Greenview Cemetery, Reidsville, NC.

⁵ James Starett was Rockingham County Surveyor in the 1840s and 1850s. Michael Perdue, "Directory of Officials of Rockingham County", Rockingham Journal, December 1991, p. 72.

⁶ James Traver (1819-1912) was a master bridge builder originally from New York who settled in South Boston, Virginia before the Civil War and is credited with building a number of covered bridges throughout the South including the Dead Timbers (commonly known as "Settle's") and Madison bridges in Rockingham County. Both of Traver's bridges in Rockingham County survived well into the next century. Robert W. Carter, Jr. "Settle's Bridge," Rockingham Journal, June 1982, p. 4.

From: North Carolina Standard, 17 November 1869

Justice Settle's Ruling Regarding Counsel in Klan Murder Case in Rockingham County

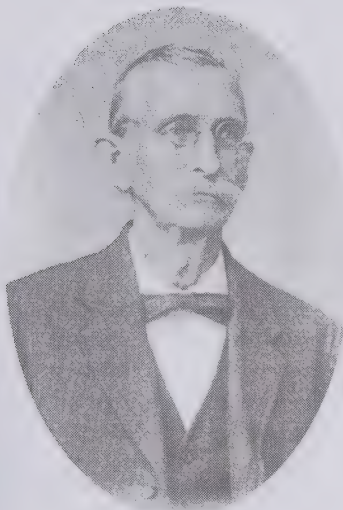
State

vs.

Patrick Simpson, Thomas Hutson and Zan Barham¹

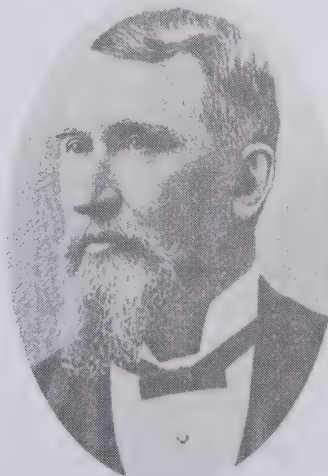
Warrant, murder

T.W. Patterson², the Sheriff of Rockingham, having returned this warrant,



Turner W. Patterson (1833 -- 1908), antebellum Whig leader in Wentworth. During Reconstruction became the county's first Republican sheriff. Later a resident of Danville, Virginia.

Courtesy of Historical Collections,
Rockingham Community College



John Walter ("Chicken") Stephens (1834 -- 1870), Wentworth resident and later State Senator from Caswell County where he was killed by the local Ku Klux Klan.

Courtesy of When the Past Refused to Die



Alfred M. Scales (1827 -- 1892), Rockingham County attorney and leader of the Conservatives, Confederate general, congressman and North Carolina Governor (1885 -- 1889).

Courtesy of Rockingham County: A Brief History



John H. Dillard (1819 -- 1896) attorney, Confederate officer and associate justice of the North Carolina Supreme Court.

Courtesy of Our Proud Heritage

endorsed “executed by arresting Patrick Simpson, Thomas Hutson and Zan Barham,” and having them before me, Thomas Settle, one of the Justices of the Supreme Court of North Carolina, at Wentworth, on the 2nd day of August A.D., 1869, Messrs. Jno. H. Dillard, A.M. Scales, and J.I. Scales, Attorneys, & c., presented themselves as Counsel for the prisoners. Thereupon they were reminded by the Court that their names appeared to be attached to a paper styled “The Solemn Protest,” & c., which in substance charged that the Justices of the Supreme Court, *singly and en masse*, had so demeaned themselves during the late political struggles, as to unfit them to hold the scales of justice, and that the wavering balance would shake in their hands so as to their fellow —partisans & c. That this charge applies to the Justices when sitting *en masse* as a Supreme Court, and also to a Justice when sitting *singly* to discharge any duty imposed upon him by law. That they had doubtless seen the action of the Supreme Court in the case of B.F. Moore, Esq. and others, and that their answers had been accepted as sufficient in that Court; and doubtless any one of the Justices would regard their answers in that Court as sufficient to entitle them to appear before a single Justice. That answers filed before a single Justice and approved by him would entitle the respondents to appear before each Justice and could also be forwarded by him to the Supreme Court for its consideration if the respondents so desired.

That it was the duty of Attorneys to uphold the arm of the civil magistrate, and when they failed to do so, and on the contrary acted in such a manner as to paralyze it, and to bring the authority of any Court or magistrate into contempt, such Court or magistrate should not permit them to appear and exercise the privilege of attorneys.

Messrs. Dillard, Scales and Scales⁴, failing to the satisfactory answers, were informed by the Court that they could not be heard.

(Signed)
 Thomas Settle,⁵
 A[ssociate] J[ustice]
 [North Carolina] S[upreme] C[ourt]

¹ The case against Simpson, Hutson and Barham was eventually dropped. As far as court records indicate there were no successful conviction for Klan outrages in Rockingham County.

² Turner Whitfield Patterson (1833-1908), a Republican from Wentworth, was twice elected Sheriff of Rockingham County (1868 and 1874). He was most unpopular among local Democrats and Klan members. He eventually left the county and relocated in Danville, Virginia where he is buried. Michael Perdue, “The Postmasters of Wentworth, North Carolina: Part Two, 1870-1986,” Rockingham Journal, June 1999, p. 29.

³ A Solemn Protest of the Bar of North Carolina Against Judicial Interference in Political Affairs” was a statement authored by former state attorney general B. F. Moore and signed by many leading attorneys in North Carolina critical of the actions and the actual integrity of the justices of the North Carolina Supreme

Court who were Republicans. Raleigh Sentinel, 10 April 1869. DNCB) Vol. 4, pp. 294-295.

⁴ John H. Dillard (1819-1896), Rockingham County native, attorney, Confederate officer, and associate justice of the North Carolina Supreme Court from 1855-1868 and again from 1879-1881. Marjorie T. Walker, "The Gallaways of Rose Hill," Rockingham Journal, June 1979, pp. 40-42. Alfred M. Scales (1827-1892) was a native of Rockingham County, attorney, United States Congressman, Confederate general and Governor of North Carolina (1885-1889). Junius Irving Scales (1832-1880) was a brother and law partner of Alfred M. Scales. All three attorneys eventually settled and practiced law in Greensboro. Charles D. Rodenbough, "Alfred Moore Scales: Uncle and Nephew," Rockingham Journal, December 1981, pp. 33-40.

⁵ Thomas Settle, Jr. (1831-1888) was Rockingham County's leading Republican and among the leaders of his party in the post-war South. From 1868-1871, and from 1872-1876 he served as associate justice of the North Carolina Supreme Court. He was an unsuccessful gubernatorial nominee in 1876. DNCB, Vol.V, pp. 316-317.

From: Raleigh Sentinel, 29 July 1870

David S. Reid to the people of North Carolina

July 26, 1870

The circumstances under which the Republican party took charge of public affairs in North Carolina could not leave a doubt on any impartial mind as to what would be the fate of our beloved State. Time has shown that the wild and rapid career of that party has only been excelled by its ruinous consequences. Setting out with a constitution of their own adoption containing the solemn declaration that "the privilege of the writ of *habeas corpus* shall not be suspended," and that "all powers not therein delegated remain with the people," they have pursued a course calculated to harass, impoverish and degrade that very people.

With a Republican Executive - a Republican Legislature - and a Republican Judiciary, they have increased the debt of the State to an unprecedented amount -- the credit of the State has been destroyed -- the means of the State have been entrusted to faithless and irresponsible persons, whereby heavy public losses have been sustained, fraud and corruption have become so common as scarcely to attract notice, public officers are used to control the political opinions of the

people, the number of offices has been largely enhanced, and salaries and fees have been greatly increased, public places have been sold, the people, in an impoverished condition, have been required to bear the most onerous county, State and Federal taxation. Our University has been prostrated to gratify political aspirants and we are left without means for common schools, the public means are inadequate to meet the public demands the "Enforcement Act" of Congress, avowed to be passed to *prevent* the intimidation of voters, is used to intimidate Democratic and Conservative voters, under the pretext that the civil authorities cannot maintain and preserve law and order, the Governor has raised a large military force just upon the eve of the election, and citizens are being seized and imprisoned without due process of law, as it is alleged and believed. All of these things, and many more, have come to pass, and if there is anyone who now doubts that the Republican party is responsible for them, it would be a fruitless effort on my part to endeavor to convince him.

The Republican Party according to the admission of its own leaders are either incapable of preserving law and order, or are unwilling to do so. Among all the late slave states, Maryland, Delaware and Kentucky are the only ones where law and order is said to prevail, and these are the only ones in which the Democrats and Conservatives hold the political power. Perhaps a similar remedy here might be attended with like happy results.

It is all important to endeavor peaceably and lawfully at the ballot box to turn out faithless and incompetent public servants and to fill their places with those who are honest, capable and faithful. Denounce fraud and corruption, no matter what party it may injure and put yourselves on the side of justice and right. Assail secret oath bound political factions, or societies, no matter whether they be called Ku Klux or Loyal Leagues, for they are the bane of society, and destructive to the great fundamental principles of free governments. The incendiary torch and the assassin's dagger must cease. Neither attempt nor countenance the infliction of punishment, except by due course of law.

Avoid all breaches of the peace. Should be guilty be arrested, screen them not. But if the innocent are likely to suffer appeal through the Courts to the Constitution and laws for their vindication, and if you fail, then there is left the last great remedy, an appeal through the ballot box to the still higher Court of impeachment, **THE VOICE OF THE PEOPLE THEMSELVES**, to whose potent mandate political rulers must, sooner or later, yield implicit respect and obedience.

In the bitterness of party malevolence the grievances of the citizen have been forgotten. Our people have been taxed till the most industrious and economical are scarcely able to produce the necessities of life. Who can behold the hand of the taxgatherer seizing as it were with stern and inexorable grasp the scanty pittance which is all that is left to supply the rites of decent Christian burial to an honored and respected citizen, without knowing and feeling that there is much in our government that needs reform at the ballot box!

Neither attempt to bribe or intimidate others, nor suffer yourselves to be bribed or intimidated.

Let us not forget that in a wild crusade in the name of freedom to the colored man, that both races are about to be enchained in a slavery of absolute

despotism! This can only be averted by the free and independent exercise of the right of suffrage, which is truly "inestimable to freemen and formidable to tyrants only."

We have no patronage, bayonets or gold, to aid us in this contest; and if we had we would scorn their use! Truth, justice and reason are our only weapons; and therefore these the corrupter's gold will melt; the tyrant's glittering bayonets will rust and crumble into dust; and the bolts and bars of bastiles and prisons will fly open to proclaim a glorious deliverance to the innocent victims of oppression without regard to race, color or previous condition! Trial by jury, the writ of *habeas corpus* and the elective franchise, so dear to freemen, are all imperiled! And the sacred memories of the past, the dangers of the present, the forbodings of the future, appeal alive to your interest, your home and your patriotism, to rally at the polls in defence of these, the last safeguards of civil and religious liberty!

Testimony of Judge Thomas Settle before Senate Committee

From: Report on the Alleged Outrages in the Southern States,
(Washington), DC: Government Printing Office, 1871, pp. 84-91,

In 1871 a Senate investigation was held in Washington into the Ku Klux Klan activities which occurred in the South during the years following the Civil War. The following excerpts are taken from Judge Thomas Settle's testimony related to Klan activities in Rockingham County and North Carolina.

WASHINGTON, D.C., February 3, 1871.

THOMAS SETTLE sworn and examined.

By the CHAIRMAN:

Question. Please state your residence and occupation?

Answer. I reside in Rockingham County, North Carolina, at Douglas Post Office. At present I am one of the judges of the Supreme Court.

Question. How long had you resided there?

Answer. I was born and raised there.

Question. Please state your knowledge derived from your official position and from information of any facts bearing upon the security of person and property in that portion of the State with which you are acquainted?

Answer. All that I know has come to me in my official capacity. I have never seen any of those raiders out, but some men have confessed to me that they were members of the organization.

Question. What organization?

Answer. What was known as the Ku Klux, generally. The White Brotherhood was the first. Some twelve months ago certain members communicated to me the fact that that was the real name. Ku-Klux Klan was the general name they went by, but the real name twelve or eighteen months ago was

White Brotherhood.¹

Question. Were these concessions made to you in your official capacity?

Answer. No, Sir; not as confessions. One of them sent me word by others, and, afterward asked me if I have received his message, and then we had a conversation in which he affirmed it.

Question. State any facts that you know, hearing on the question of the security of person and property in your section of the state.

Answer. The first case that came to my observation was one in which I issued a warrant for murder. A colored woman some eighteen years of age was killed in the county. The coroner proceeded to hold an inquest, and after proceeding a day or two he came to me for instructions. He was not acquainted in the part of the county where the killing occurred, and he found that the father of the accused was foreman of the jury of inquest, and he was at a loss to know how to proceed. I told him it would make no difference in that case how he proceeded, and that he might as well discharge the jury. The next day a party applied to me and I issued a warrant. The name of the deceased was Mary Lomax. She and others were sleeping in a cabin. There were two beds in it. The usual matter of attack when these men approach a house was to fire a volley into the house through the door. On this location some half a dozen pistol shots were fired through the door. At the same time some of the party struck the door and half opened it; some of the balls struck the door as it stood opened and glanced and struck the woman who was lying in the bed in the head. I suppose she never woke up; it went through her head, and she was found dead in that position. Some of the parties were identified, and I bound over two of them to court to answer the charge of murder.

Question. What were their names?

Answer. Simpson and Barham. The manner of identification was somewhat singular. One of the men had lost several of his fingers. After shooting one negro, they took several others and whipped them. There were some fifteen in the company; three of them ran into the cabin and commenced to beat on the beds; they beat on the dead body of this woman, not knowing, it was supposed, that she was dead. Then they took the negro man out, the husband of another woman who was in the house. It was a bright moonlight night. The negro felt a peculiar pressure on his arm, and looking down, he discovered Barham's hand. He had worked on a farm with Barham two or three years, and knew of his having this peculiar hand; that, together with the size and voice, which he recognized also, was the means of identification. There was no bill ever found.

Question. Was there a bill sent before the grand jury?

Answer. No, Sir; the principal witness, I think, disappeared. I never saw nor heard of the man who was whipped afterward. I understood he left the county.

Question. Could you understand for what reason he left?

Answer. No, Sir; I learned, as coming from the former clerk of the superior court, then he had taken some pains to keep the number of whippings and outrages in the county of Rockingham, and I think he said there were 62.

Question. Within what period?

Answer. It was about eighteen months since.

Question. Do you mean to say they cover a period of eighteen months?

Answer. It has been about eighteen months since any occurred in that county; but I have heard since I left that there have been some recent raids in one end of the county. I have been in Raleigh for six weeks past, at court, and I do not know how that may be. Then I issued another warrant for some parties. Two magistrates had issued a warrant for parties charged with whipping an old negro man over 70 years of age, very feeble and partially blind. The magistrates attempted to make an investigation. Some 70 or 80 men gathered around us at the trial, and made such a disturbance that the magistrates were very glad, as they told me, to make a compromise to keep the man safe. This I learned from a county officer. The negro then applied to me for a warrant, and I issued it, and had the same parties brought before me. I was satisfied with the identification of two of the party -- there were fifteen of them -- and I bound over the two to answer the charge some ago but there was no bill ever sent in. This offense was even more shocking than the murder. They took this old man, stripped him perfectly naked, and gave him some fifty stripes with switches. Then they took his two daughters who were living in the house, stripped them down to their chemises, and whipped them. Then they took a young negro man who was in the house that night and whipped him, and compelled him to go through the form of sexual intercourse with one of the girls, whipping him at the same time! There were no prosecutions.

Question. Where was this, and when?

Answer. In my own county, Rockingham, about eighteen months since. After the issuing of these warrants they stopped him in a measure; but there has never been any punishment for a single offense in the county. Another instance occurred where there was something said about voting. The men went into a cabin where there was a little deformed, hump -- backed negro, by the name of Watt Richardson, and they whipped him severely. He came to my house, and as I had to leave, I sent him to some magistrates, who had warrants issued. But the parties were never punished. They whipped this little negro, and then commenced whipping another negro and his wife. Seeing them draw some pistols, the woman began to cry out murder, and made a great noise. There was a large fire burning in the hearth, and one of the men seized a chunk of burning wood and thrust the firebrand down her mouth. They said it was six weeks before the woman recovered. The information came to me from the husband and other negroes. There was one other case. They went to another house of an old colored man named Lindsey Poindexter.² This was in a different part of the county. These different cases occurred some ten or fifteen miles apart. They fired into the cabin of the old colored man, as usual; the shot struck him in the toe, and took one of them off. He jumped up and succeeded in getting away. It was dark, and he ran off. They then went to the fireplace, and picking up the contents of it, threw them into the bed, where his wife and little children were. The women and children jumped out as quick as they could: being a straw bed it caught fire, and the house and everything in it was burned up. These were the most aggravated offenses. A great many more were whipped terribly; they came to me and showed their scars. In many instances they did not pretend to make

any identification. Most of them failed for want of identification. The disguises are very complete.

Question. What has been the effect on the public mind, with reference to the security of person and property, of these outrages, and the difficulty in the way of punishment?

Answer. Well, sir, I suppose any candid man in North Carolina would tell you it is impossible for the civil authorities, however vigilant they may be, to punish those will perpetrate these outrages. The defect lies not so much with the courts as with the juries. You cannot get a conviction; you cannot get a bill found by the grand jury, or, if you do, the petit jury acquits the parties. In my official capacity I sit with Judge Pearson and Judge Dick. Judge Pearson issued a bench warrant last summer for some parties, and had them brought before him at Raleigh. He suggested Judge Dick and myself to meet him. We did so, and the trial extended over three weeks, and there it came to our knowledge that it was the duty and obligation of members of this secret organization to put themselves in the way to be summoned as jurors, to acquit the accused, or to have themselves summoned as witnesses, to prove an alibi. This they swore to; and such is the general impression. Of course it must be so, for there has not been a single instance of conviction in the State.

Question. Upon investigations made before you in your official capacity, have you any doubt that a state of things exists requiring men to shield themselves in the way you have mention?

Answer. None whatever. I am satisfied, from their own declarations and from the effect visible in all the courts, that it is so.

Question. Where they are charged with offenses, is there an probability of securing justice against them in counties where the organization exists at all?

Answer. Well, sir my belief is that the organization extends to every county in the State. I am satisfied that the organization is a very extensive one. I have no doubt it is much more numerous in some counties than others, and I believe the middle or Piedmont region of the State is the chief nucleus, and that there the outrages have been the most numerous.

Question. Does that include Alamance County?

Answer. Yes, sir; it includes the counties of Alamance, Orange, Moore, Chatham, Rockingham, Caswell, and Person.

Question. What is the expression of public sentiment with reference to these outrages? Is there any division; and if so, how is the sentiment divided?

Answer. Well, sir, a great many of all parties condemn the outrages, but, strange to say, a great many of our best people seem to think that it is right. They say, if it was not for the Ku-Klux, they could not have anything in their corn -- cribs or smoke-houses, and that the Ku-Klux are their only protection. I have heard some of the first ladies in the State using those expressions. A great many say they thank God that the Ku-Klux are there, or use such expressions as that.

Question. Is that your belief that the organizations are encouraged by the idea that they have the support of either of the political parties, as a party?

Answer. Well, sir, I cannot doubt the fact that all the members of it that we know or have ever heard of, belong to one party. I should dislike very much to believe that all of the same party were members of it or even approved of it;

in fact, I know they do not. I believe the most efficient aid I had in Rockingham County, in stopping this thing, eighteen months ago, came from a democrat. I think this speech of Governor Reid, who is an ex-Senator of the United States, had more to do with stopping it than anything I did.

By Mr. Bayard:

Question. Was he a democrat?

Answer. Yes, sir; a leading democrat of the State. He denounced the movement, and told them they would put every man's life and property at the mercy of the mob if persisted in. But he is an exception.

Question. As the result of investigations, what is your belief as to the cause of these disorders and outrages?

Answer. Well, sir; I have no doubt it is the sentiment of the old war feeling engendering a bitter state of feeling about the loss of slavery -- the bitterness that sprang up during the war. Then it is alleged on their parts that Congress has been proscriptive and has not measured out to them the justice and liberality that they expected. That gives them an excuse for the bitterness.

Question. Do they complain of the reconstruction acts?

Answer. They did for a while; they opposed them very bitterly as a party; but of late, in their resolutions, they subscribe as a party to the reconstruction acts. But of one feature of these acts they still complain very bitterly, and that is, the disabilities resting on a portion of the community.

Question. Were these injuries inflicted, as a general rule, on persons of one party or of both political parties?

Answer. I have never heard of any other than a republican being outraged. Well, I have heard of some barn-burnings, things of that sort. I did not think I have ever heard of any whippings, but barn-burnings and larcenies; but these were without regard to parties; they would steal from one as well as another.

Question. If there are any other facts in your knowledge which bear upon the question of security of person and property, please give them.

Answer. I do not know of anything further than the fact that I am satisfied the law cannot be executed, from the fact that in not a solitary instance out of the many hundreds of outrages that have occurred has there been a conviction.

Question. The trials for these offenses would not take place in the court over which you preside?

Answer. No, sir; we simply sit as a court of appellate jurisdiction upon question of law -- no jury trials.

Question. Do you hold the Circuit Court?

Answer. No, sir.

Question. You hold the supreme court?

Question. Yes, sir. I am associate justice of the supreme court. We have no jurisdiction of jury trials, but we have large jurisdiction as peace officers.

Question. How long have you been on the bench?

Answer. Since July, 1868.

Question. How are you elected?

Answer. By the people.

Question. What counties does your circuit embrace?

Answer. The whole State. I was solicitor for nine years of the 4th circuit, which embraces twelve counties. When I left the solicitorship I went upon the bench.

Question. By what party were you elected?

Answer. By the republican party.

Question. In Rockingham County what is the cast of party politics?

Answer. It has been fluctuating. It has always been a county on the balance. Last year it was in the hands of the republicans; now it is in the hands of the conservatives.

Question. For the two years preceding last August, in whose hands was it?

Answer. In the hands of the republicans.

Question. Were all the county officers members of that party?

Answer. I think they were.

Question. The county commissioners, too?

Answer. Yes, sir.

Question. Under your system, I believe, they select the juries?

Answer. Yes, sir.

Question. The sheriff was elected by the same party?

Answer. Yes, sir.

Question. Have you been present at the elections during the last two years?

Answer. Yes, sir; have been at the polls.

Question. Have the elections been reasonably orderly and quiet?

Answer. Yes, sir.

Question. No intimidation?

Answer. None that I observed.

Question. In regard to the execution of process, can the officers of the law make what arrests their processes require without resistance?

Answer. Yes, sir, they have had no resistance; it has been a matter that they have commented on, the fact that they could be arrested anywhere.

Question. No obstruction?

Answer. None at all; not as a general thing; perhaps there have been some instances.

Question. Are you aware, yourself, of any molestation of officers of the United States or of the State in serving process?

Answer. No, sir.

Question. Would you state it as a fact that it is perfectly practicable for the United States civil officers to serve process and arrest a prisoner allover this State?

Answer. Well, I should say not in certain portions of it; not however with regard to these matters so much as revenue matters. I have heard of resistance and danger to United States officers, growing out of the revenue.

Question. Was that in respect to the collection of the tax on spirits?

Answer. Yes, sir; I have heard there is some danger in that, and I imagine there is.

Question. You mean in regards to the seizure of illicit stills?

Answer. Yes, sir; with some officers traveling in certain districts.

Question. With these exceptions do you know that it is perfectly practicable to serve processes throughout the State by an unarmed official of the United States?

Answer. Yes, sir; I think there would be no difficulty in serving process.

Question. Could you suggest anything in the way of legislative or civil remedy for this state of things in North Carolina?

Answer. Well, sir, I am not able; I have tried to devise something that would meet our case, but I am unable to suggest anything at the present. I think probably the remedy lies in ourselves; let us work it out. I do not know. There is a great deal said now about these political disabilities. For my part I think, in the present circumstances that it is doing more harm than good to retain them, and for this reason: so far as obnoxious men are concerned, there are men just as obnoxious to the quiet of the country outside of these men under the ban as any that are among them; and it enables all parties there -- and most of our people are politicians; men and women all talk out pretty freely -- it enables them to say, "Here is one set of men disfranchised, and their slaves are enfranchised to govern them." Well, it is but a small list, but it creates sympathy, or rather they can make sympathy out of it. Still those men vote, and they can select men equally as objectionable as any of themselves who are under the ban. I have always thought that perhaps the best thing that could be done in that respect would be to remove their disabilities.

Question. With your knowledge of the means by which this organization seeks to accomplish its purpose, do you believe it would be safe to intrust its members with political power as members of Congress or of the State Legislature?

Answer. No, sir; having heard the character of their oaths I could not trust the men with anything anywhere.

Question. Would it be prudent to remove the disabilities of such men?

Answer. Well, I would not trust a man in any position, private or public, who I believed was a member of that organization, or who had taken these oaths. But I say they can do us more harm by being under the ban than by being relieved, because they say it is not fair to fight a man with one hand tied behind him, and creates sympathy in that way. Therefore I believe it would have a good effect to remove their disabilities.

By Mr. Bayard:

Question. Do you mean that all citizens of North Carolina, who are under political disabilities are members of this organization? Do you state that of your own knowledge?

Answer. By no means. I do not know anything about it, whether they are or not. I know some men who are under disabilities who are outspoken in denouncing it.

Question. Where you ever under political disabilities?

Answer. Yes, sir.

Question. Were they removed?

Answer. They were; and that is one reason why I have never opposed any

other man's enfranchisement.

Question. When were yours removed?

Answer. In 1868. Perhaps that may have given some coloring to my feelings; having asked for my own to be removed, I have never opposed anybody else's.

Question. Do you not know many men who are now under political disabilities who are entirely trustworthy in any capacity, private or public?

Answer. Yes, sir; men that I would trust, and that are worthy of confidence.

Question. Are the class of men under political disabilities generally those who were eminent in civil life before the war?

Answer. Yes, sir, necessarily so; the men who held office.

Question. And who are now disqualified?

Answer. Yes, sir.

Question. Do you believe that the restoration of the competency of these men who held office would have a beneficial effect upon the temper of society in your State?

Answer. I am inclined to think it would.

Question. Do you think it would tend potentially to restore or create a proper condition of social and civil feeling there?

Answer. No, sir; I do not believe that that of itself would. I think the disease is too deep-seated to be affected by so slight a remedy. It arises from the hostility and bitterness growing out of the war. Many men who are known to be republicans are asked to sign petitions for the relief of political disabilities of others. In most instances they have done it. Some men make a rule never to decline. Such has been the rule with me, never to decline where the parties asked for it. I am satisfied, however, that a great many of those who received those favors do not afterward show any gratitude at all, but have been very violent and active in destroying the character and reputation of those who signed their petitions.

Question. Is that your personal experience?

Answer. My observation, more than my personal experience. I have lived in the State all my life, and have never felt these proscriptions so much as others speak of I never had cause to complain myself, but I have witnessed it very extensively. I think the relief from political disabilities might have a tendency to restore society. I hope that it would; but my opinion is that society is resting upon a basis there that cannot exist for any length of time.

Question. Explain what you mean?

Answer. There is too much political bitterness, and there is a party that have taken the law into their own hands and have punished men indiscriminately from one end of the State to the other, and there has not been a single instance of the punishment of those who have committed these outrages. I'll believe if this thing goes on we shall become, as they say, Mexicanized. I believe society is degenerating. I am compelled to believe it has become very corrupt, when to any extent an organization can be found to take oaths such has have been detailed to us as the oaths of this organization. And yet we have it reported that men honored in the land do take these oaths.

¹ According to the confessions of William F. Foy, made before Judge A.W. Tourgee in March 1872, the White Brotherhood in the Madison area existed as early as the Summer of 1868. Judge Albion W. Tourgee Papers, #1478, microfilm, Southern Historical Collection, University of North Carolina at Chapel Hill.

² According to official records in the papers of Judge Albion W. Tourgee (microfilm, Southern Historical Collection, University of North Carolina at Chapel Hill, item #1478) the following individuals were accused of participating in the burning of the house of Lindsay Poindexter on 1 January 1870:

Henry C. Jones	Shelby Anderson
David Wilson	Thomas Truitt
Thomas Price	Jonathan Gant
Abel S. Washburn	John Tucker
Bazillah G. Wilson	

³ According to the confessions of William F. Foy the following individuals were named as members of the White Brotherhood in the western and southwestern end of Rockingham County (in addition to those named in note number two.):

Dr. T.W. Dandridge	Smith Flynn	Stephen Moore	George Preston
William Lindsay	John Minor	John Y. Peay	John Durham
J. Alex. Cardwell	Pleasant Turner	Pos. Goolsby	Fenner Wilson
James Jones	B.R. Webster	Patrick Simpson	John Williams
William Southern	Thomas Truitt	Albert Simpson	Lewis Joiner
John Turner	William T. Comer	Shack Reynolds	John McGehee
Sam H. Southern	Robert Moore	Monroe Black	Watt Wilson

Foy also identified James A. Allen (1837-1879) as being the chief of the White Brotherhood in the Wentworth area.

⁴ See former Governor Reid's message to the citizens of North Carolina from the Raleigh Sentinel, 29 July 1870, elsewhere in this volume.

From: New North State (Greensboro), 28 March 1872

Kukluxism in Rockingham

The developments of last week in the county of Rockingham would be startling were we not so used to Kuklux exposures. Several members of the White Brotherhood came voluntary forward and made statements of the nefarious villainy they have been engaged in. It appears that many plots had been considered and matured. Some of these were carried out and some were not. Among other things, a conspiracy was entered into for the burning of Judge Settle's dwelling house. The conspirators never had the hardihood to carry it into execution, but it was deliberately and coolly agreed upon.

It was also determined to assassinate Judge Tourgee. The deed was to have been done while he was holding a special term of Court. The plan was to raise a disturbance in the Court room and while the pretended riot was taken place, the judge was to be "accidentally" shot! The row actually began, but the man put forward to commence it, was not supported, and the result was he found himself ignobly thrust into jail. Now this was certainly a happy state of affairs!¹

The grand jury found a true bill for arson against seven men. The burning was done by the Kuklux. They visited in disguise the humble cabin of a negro, maltreated him, shot at him as he ran away, took his straw bed, cut it open, set fire to it, piled on a lot of tobacco sticks, and so consumed his dwelling!

We did not care at this time to follow the subject further. We have in our possession the full statements of many outrages perpetrated in Rockingham County with names of members of the Klan. We intend hereafter to publish some of these. Kukluxism is destroyed. The reaction has commenced in earnest. The President and Congress of the United States should receive the credit. The State authorities and State Courts had failed. The power of the General Government was brought to bear; and the result is, we have more confessions than we know what to do with.

¹ According to official records gained from confessions dated March 1872 in the papers of Superior Court Judge Albion W. Tourgee (Microfilm, Southern Historical Collection, University of North Carolina at Chapel Hill), the following individuals were accused of plotting to burn the "Mulberry Island" home of Judge Thomas Settle and murder David M. Malloy, Settle's employee:

A.S. Washburn
Callender Smith
Henry Comer
John Smith

George W. Peay
C.E. Mosley
Lunsford Apple
Thomas McCollum

Fenner Wilson
B. G. Wilson
David Wilson
Thomas Wilson

Josiah Newnam
Richard Williams
Sterling Simpson
George Preston

² Judge Tourgee mentions the plot to assassinate him in a letter written to his wife from Wentworth, dated 20 March 1872. Albion W. Tourgee Papers, Microfilm, Item #1612.

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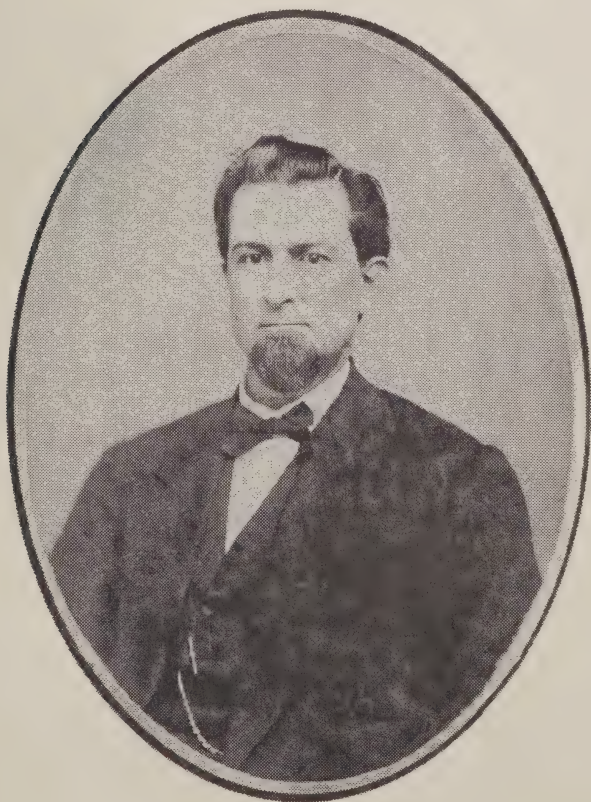
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Editorial Policy

The publication committee is interested in receiving articles on the history and genealogical source materials of Rockingham County and the adjacent area. The historical articles must be well written and thoroughly documented. Genealogical articles should consist of previously unpublished primary source materials pertaining to Rockingham County, such as abstracts of local records and edited diaries, letters, or church records. Papers on family history should not be submitted. All copy, including footnotes, should be typed, double-spaced. Articles and correspondence should be sent to the Editor: Robert W. Carter, Jr., 1141 Irvin Farm Road, Reidsville, N. C. 27320.

About The Cover

Thomas Settle, Jr. (1831-1888), Rockingham County native, attorney, State Legislator, State Supreme Court Justice, United States Ambassador to Peru and one of the founders of the Republican Party in the State of North Carolina in 1867.

Courtesy of Historical Collections,
Rockingham Community College

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CONTENTS

- Thomas Settle Jr., Reconstruction and the Memory of the Civil War
by Jeffrey J. Crow 61
- A Biographical Sketch of Thomas Settle Jr., and his Family
by Bob W. Carter 97
- Thomas Settle's Stories of the Reconstruction
by William S. Ball 115
- The Spring Garden Speech
by Thomas Settle, Jr. 134



Thomas Settle, Jr., (1831-1888) in his later years.

Courtesy of Historical Collections,
Rockingham Community College

Thomas Settle Jr., Reconstruction, and the Memory of the Civil War

BY JEFFREY J. CROW

AMONG THE MEMBERS OF THE UNHOLY TRINITY OF RECONSTRUCTION demonology-freedman, scalawags, and carpetbaggers-the scalawags have received the least attempt to historians who have tried to identify just who the scalawags were and to measure their political strength, but the motivations that impelled those men to align with the Republican Party have remained elusive. Genuinely radical scalawags were rare. Few scalawags favored social equality for African Americans and only a minority demanded punitive action, such as confiscation, against secessionists and the propertied. Some scalawags prefigured New South advocates by espousing an economic transformation of the region. The vast majority of scalawags endorsed political equality and social reform and accepted the alliance with freedman as "a marriage of convenience." Consequently, since the 1960s, revisionists have tended to view native white Republicans as hard-core Unionists from upcountry areas such as Western North Carolina, as economic opportunists, or as political pragmatics. That many southern white Republicans had been antebellum Whigs hardly explained their postwar attitude inasmuch as former Whigs dominated both parties during Reconstruction.¹

The reasons scalawags chose to associate with the northern-born Republican Party were complex and varied, but one reason-too easily assumed and often ignored-deserves careful consideration: the bitter experience of the Civil War defined postwar political alignments in surprising ways. Moreover, the memory of the war and, more particularly, whose construction of that memory prevailed during Reconstruction carried enormous weight not only in deciding the political battles of that era but also in determining which version of the South's wartime legacy dominated postwar culture, literature, and politics.² In the late 1860s and 1870s the Lost Cause orthodoxy remained unarticulated. How native white southerners perceived the war still had not found expression in the veneration of Confederate heroes and fallen comrades. The process of defining the war's painful legacy became part of the political debate during Reconstruction. An anti-Confederate interpretation of that legacy posed a radical alternative to the adoration of men who had prosecuted the war and exposed the South to devastation and defeat.

Mr. Crow is the director of the North Carolina Office of Archives and History. THE JOURNAL OF SOUTHERN HISTORY Volume LXII, No. 4, November 1996, copyright by the Southern Historical Association. Reprint by permission of the managing Editor.

Thomas Settle Jr.'s procession from son of a prominent Whig jurist, to protosecessionist, to Douglas Democrat, to Republican demonstrated that, for scalawags, there were many roads to Reconstruction. As with so many other men and women of his generation, the Civil War was a clarifying moment that altered his life and placed him on a path utterly unthinkable a few short years earlier. That path led eventually to a showdown with North Carolina's "war governor" Zebulon Baird Vance in the gubernatorial election of 1876. In that legendary campaign more than the political control of North Carolina was at risk. Also at stake was North Carolinians' memory of the Civil War. Democrats accused Republicans of waving "the bloody shirt" and ridiculed Settle's war record and alleged racial apostasy. Not to be outdone, Republicans tried to portray Vance as a warmonger who had brought ruin to the state. The memory of the war became contested terrain as surely as the political future of the Republican party and of its indispensable supporters, African Americans. How North Carolinians remembered the Civil War thereafter defined Vance's place in history and relegated Settle in his version of the war to the shadows.³

Born in Rockingham County, North Carolina, in 1831, Settle was the son of a prominent lawyer, congressman, speaker of the North Carolina House of Commons, and superior court judge. According to one authority, the elder "Settle was an old-line Whig, with free soil proclivities." Believing slavery wrong, he favored gradual emancipation with compensation.⁴ Thomas Settle Jr. received the privileged education of private academies and matriculated at the University of North Carolina. Graduating in 1850, he became private secretary to Governor David Settle Reid, his brother-in-law and first cousin. After serving as the governor's secretary, Settle studied at the renowned law school of state supreme court justice Richmond M. Pearson and began practicing law in 1854.⁵

Immediately after being admitted to the bar, Settle launched his political career. He served in the House of Commons from 1854 to 1859 and, in the 1858-1859 session, was elected speaker, as his father had been in 1827 and 1828.⁶ Unlike his father, Settle entered politics as a Democrat. Settle's close association with his kinsman Governor Reid accounted for his political conversion. During the 1850s Reid led the fight for "free suffrage," which abolished the property qualification to vote for state senators, and Settle considered himself a reformer like the Democratic governor.⁷

Settle departed from his father's ways in another important respect as well. Early in his career, the younger Settle was a strong proponent of southern rights. He heartily endorsed the Kansas-Nebraska Act, which Stephen A. Douglas, his cousin by marriage, had crafted.⁸ That act repealed the Missouri Compromise's 1820 ban on slavery in northern and western territories and established the principle of "popular sovereignty" to determine the admission of territories with or without slavery. During the 1854-1855 session of the General Assembly, the Rockingham County legislator introduced nine resolutions in support of the Kansas-Nebraska Act, labeling it "the

true principle, in relation to the power of the Federal Government, on the subject of slavery in the Territories." He urged "southern men... to unite" on that doctrine. Settle called the attempt of northern states "to interfere with slavery in the South... a flagrant violation of the constitution... and fraught with incalculable mischief...." Condemning the "infuriated fanaticism of the North," Settle declared: "That in the event the Federal Government repeal or i[m]pair the efficiency of the provisions of the Fugitive Slave law, or refuse to enforce its execution in good faith, that it will amount to a initial dissolution of the Union, and that it will become the duty of this State to take such measures as may be required for her safety and security."⁹

The resolutions were ultimately tabled, but Settle had shown clearly that he was no believer in gradual emancipation. The owner of twenty-six slaves, [correct number twenty-nine] according to the 1860 census, Settle vehemently defended the institution of slavery and "the compromises of the constitution" in the language of disunion. As one of his friends who had visited Kansas posited: "since I have seen the country I am fully convinced that slave labor can be just as profitably employed in raising hemp on the plains of Kansas as it is in cotton or sugar planting farther South." Whereas the friend had once believed that the South could never gain an advantage from the repeal of the Missouri Compromise, he now speculated that Kansas might "come into the Union as a Slave State."¹⁰

Chosen a Democratic elector for the presidential election in 1856, Settle pledged his support to the ticket of James Buchanan and John C. Breckinridge in order to protect "the interest and honor of the South." The "existence of the Union itself," he wrote, depended on the result of the presidential election. Admitting that the contest in North Carolina would be between Buchanan and Know-Nothing candidate Millard Fillmore, Settle knew that nationally the Democrats' chief rival would be the recently organized Republican party. Denouncing John C. Fremont as a "black republican;" he asked: "Shall Buchanan or Fremont be our next President? Will Southern men hesitate?"¹¹

Despite his protosecessionist rhetoric during the 1850s, Settle did hesitate when disunion became an actual possibility during the presidential election of 1860. Settle campaigned vigorously for Stephen Douglas. As Robert P. Dick, Settle's close political associate, declared: "I cannot and will not support the... secession ticket." By assisting the candidacy of Stephen Douglas and Herschel V. Johnson. Dick hoped to preserve "a National Democracy" in the face of the "strong sectional feeling that prevails in this state." He predicted that the success of the John C. Breckinridge-Joseph Lane ticket would "produce even hotter sectional hostility that would eventually lead to disunion." Another defender of Settle's stand congratulated him for his "firmness and independent course" in endorsing Douglas. He warned that some of Settle's "pretended political friends are trying to sound your death knell and bury you politically in this county."¹²

When Abraham Lincoln won the election, Settle still refused to succumb to the

secessionist impulse. In February 1861 he ran as a Unionist for a seat in a proposed secession convention and handily defeated his opponent and political mentor Governor Reid. In the same election, North Carolinians narrowly rejected the call for a convention. During the spring of 1861 Settle, joined by fellow Unionists, debated with secessionists. Upon such an occasion Settle learned of Lincoln's call for troops. He immediately "mounted a doorstep and poured forth a passionate appeal for every man to stand by the South."¹³ The *rage militaire* that swept the South had-briefly-engulfed Settle too.

Alfred M. Scales, an ardent secessionist whom Settle had debated, welcomed his friend's about-face. "Let us show them how readily Rockingham Boys though raw can obey a military call," Scales asserted. "I trust that you will be ready so that we can all go together."¹⁴ Settle answered that call and joined the Thirteenth Regiment. North Carolina Troops on May 3, 1861. He was appointed captain of Company I, the Rockingham Rangers. At the end of May 1861 the regiment was ordered to Suffolk, Virginia, where it idled almost a year until General George B. McClellan began threatening Williamsburg and Yorktown. Assigned to General James Longstreet's division, the Thirteenth Regiment was reorganized in late April 1862. Reporting regimental strength at 575 men, the Thirteenth received its baptism of fire at Williamsburg on May 5. It lost seventy-five men, killed, wounded, or missing. By then, however, Settle had already departed.¹⁵

Publicly, Settle carried on the pretense that his "private affairs absolutely demand my attention for a short time." In declining election to the colonelcy of the Twenty-First Regiment and announcing his resignation from the army on April 27, 1862. Settle declared: "I have felt it my duty to myself & others to retire for the present from the service."¹⁶ Of course, he had no intention of returning. Indeed, he spent the next three years opposing the war and those who continued to prosecute it.

Settle's unhappy, if combat-free, year in the army only partly explained his disenchantment with secession. Before he entered the service, the legislature had elected Settle solicitor of the fourth judicial circuit. He returned to that post and there saw firsthand the misery and sacrifice that the war imposed on the civilian population. Along with William W. Holden, the powerful editor of the North Carolina Standard in Raleigh, Settle led the peace movement of 1863-1864 that aimed to take North Carolina out of the war. Writing to Settle in December 1863, Holden told his "old political friend": "The future darkens, as I can see no ray of hope. It is now apparent that North Carolina must soon look to herself . . . Our next elections will turn on the question of a State Convention."¹⁷ Through unidentified but unassailable political sources, incumbent governor Zebulon B. Vance knew the type of campaign that would be waged against his reelection in 1864. Vance informed a political confidant: "The convention question is to be my test and I am to be beaten if I oppose it." For his part, Vance wanted to demonstrate "every desire for

peace except at the expense of my country's ruin and dishonor; and I want the question narrowed down to Lincoln or no Lincoln." Vance believed that Settle might be the "Lincoln candidate" who would oppose him.¹⁸

In January 1864 advocates of a state convention seeking an armistice with the North approached Settle for his support. Writing from Salem, the petitioners urged Settle to help organize "an early movement... to save N. Carolina from the utter ruin with which she is threatened" by Confederate "despotism." They viewed "with indignation & alarm the encroachments of Congress & executive on the Sovereignty of the State & the constitutional rights of the citizens..." Responding to the appeal, Settle answered in unambiguous terms. "The Confederate government is completely contro[l]led by bad, desperate men," he wrote, "who in violation of plain laws and the Constitution are usurping to themselves powers by which they can destroy not only private rights but States rights. and finally clothe Jefferson Davis with more power than is now possessed by any crowned head in Europe." Settle continued: "His prejudices are as unbounded as his ambition, and once clothed with absolute power we know that he would use it for pampering and promoting his friends and punishing & persecuting his enemies." Pledging to place the question of a convention squarely before the people, Settle warned: "If white men expect or wish to remain free and not to become slaves, they can no longer mince these matters." The issue of expanding slavery into the territories was dead, he admitted. The question now became whether slavery would survive in the states. "Will white men remain free?" he asked. "We are indebted to the secessionist[s] for this view of the subject. They got us into these difficulties, but they have neither the wisdom nor patriotism to get us out. We must rely upon God & ourselves to get out the best way we can." Fearful that the Confederacy would impose laws and policies regarding taxes, currency, writs of habeas corpus, and conscription that would completely destroy "the rights of persons and property," Settle charged Davis and other "destructives" with mismanaging "this wicked war." He concluded: "At all events I am, body & soul, in favor of a convention & I want it speedily."¹⁹

Holden, not Settle, opposed Vance in the 1864 election, but Vance rolled over all opposition like a juggernaut. Vance astutely managed the difficult feat of placating the secessionists, who hated Holden, and declaring himself the true peace candidate. In the words of historian Marc W. Kruman, "Vance ran a masterful campaign," castigating Confederate despotism but insisting on loyalty to the Confederate cause.²⁰ Vance's victory ended the convention movement, but it did not halt the fierce internal war ripping North Carolina. In particular the so-called Quaker belt of the central piedmont suffered violent upheaval as Unionists, draft-dodgers, and deserters resisted Confederate and state authority. In 1863 Confederate troops, at Vance's behest, spent five months in central North Carolina rounding up deserters and quelling disaffection. When Confederate troops were unavailable, Vance relied on the Home Guard to suppress disloyalty. As solicitor for

an area in which people boldly proclaimed their Unionism and defied the Confederacy, Settle faced the delicate task of upholding a government whose policies he detested while protecting the victims of those ill-advised policies.²¹ That experience, as much as his inauspicious military service and support of the convention movement, helped shape the Rockingham solicitor's perception of the war and its devastating effects on the polity.

Settle found the internecine conflict and violence between Confederate sympathizers and Unionists appalling. In the fall of 1864 he reported to Governor Vance a case of torture involving the wife of a well-known deserter in Moore County. Militiamen under the command of Colonel Alfred Pike visited Bill Owens's farm and demanded to know his whereabouts. When his wife, who was holding an infant, refused to give a satisfactory answer, Pike slapped and jerked her by the hair until she put down the baby. The militiamen then "tied her thumbs together behind her back & suspended her with a cord... so that her toes could just touch the ground..." When that torture failed, they placed "her thumbs under a corner of the fence" until she "became quiet and behaved very respectfully." Pike, whom Settle interviewed personally, remained totally unapologetic. He told the solicitor: "if I have not the right to treat Bill Owens, his wife & the like in this manner I want to know it, & I will go to the Yankees or anywhere else before I will live in a country in which I cannot treat such people in this manner."²²

Other women had received similar treatment, Settle charged. In Chatham, Randolph, and Davidson Counties "some fifty women in each county & some of them in delicate health and far advanced in pregnancy were rudely (in some instances) drag[g]ed from their homes & put under close guard & there kept for some weeks. The consequences in some instances have been shocking---women have been frightened into abortions almost under the eyes of their terrifiers." Settle warned the governor that his orders to the militia "to arrest parties of any age or sex, who give information to deserters" were being misconstrued. Absolving Vance of any intent "to justify torture," Settle said he knew of other cases "equally as bad as... in Owens case..." Militia officers had used the governor's orders as "a full justification" for their abhorrent behavior. The solicitor intended to prosecute such cases to restore order and harmony to the shattered community. Settle had tried a man in Randolph County who had hanged his neighbor until "senseless, in order to extort confessions from him..." The miscreant received a six-month sentence. Though Settle wrote professedly "in no spirit of fault finding," his polite chiding of the governor could not disguise a strong sense of outrage at the waste and injustice engendered by the war. It would not be the last time Settle stung Vance about the governor's wartime policies.²³

Settle emerged from the Civil War determined to wrest control of the state from the secessionists and "destructives" who had brought such ruin to the South. During the war Settle had plainly hoped that slavery might survive through a negotiated

peace. A realist, he finally recognized that the abolition of slavery was an inevitable outcome of the war, but he was not yet willing to accord full political rights to freedmen. Nor was he willing to saddle North Carolina with a huge Confederate debt. In the Constitutional Convention of 1865 Settle played a leading role in forging a new plan of reconstruction for North Carolina.

Former Whigs overwhelmingly composed the convention that gathered in Raleigh in October 1865. A smattering of Douglas Democrats like Settle and secessionist Democrats made up a tiny minority among the 128 delegates.²⁴ Edwin G. Reade, the presiding officer, opened the convention by stating: "we are assembled at a time of great perplexity to reorganize the Government which has been disturbed by a protract—ed and disastrous war." He continued: "Fellow-citizens, we are going home. Let painful reflections upon our late separation, and pleasant memories of our early union, quicken our footsteps towards the old mansion..."²⁵

Settle chaired two of the convention's most important committees—one on the abolition of slavery and another on public and private debts. A northern journalist attending the convention left a vivid description of Settle's political style. Characterizing Settle as one of the convention's "ablest" delegates, Sidney Andrews recorded: "He speaks with force and unmistakable emphasis, gesticulates with a full sweep from the shoulder, and adds a sincere love of the Union to a hearty hatred of Secessionists." Under Settle's leadership, the convention passed an ordinance abolishing slavery in a "prompt, decisive, and radical" fashion. Rejecting a clause that would have attributed abolition to actions of the United States, Settle argued that the delegates might just as well say "that slavery was killed by secession, which a majority of the State always opposed; that it might have been partially retained if the Davis government had not been obstinate..." Settle's direct language in which North Carolina accepted responsibility for abolishing slavery prevailed. Settle had not, however, shed North Carolina's "petrified Hunkerism," according to Andrews. The Rockingham delegate favored colonization of the freed men and women and believed that North Carolina was "too poor" to educate white, let alone, black children. "[A]s much as I wish for the education of the negro," Settle stated, "his help will have to come from the North at present." In even blunter terms, he declared: "This is a white man's government, and intended for white men only..."²⁶

Settle's introduction of the ordinance "prohibiting the payment of all public debts created or incurred in aid of the late rebellion" stirred even greater controversy.²⁷ Proponents of paying the Confederate debt argued that state debts were properly the subject of the legislature, not the convention. One proponent feared "that Republicanism will triumph in NC." Accusing Settle of demagoguery, the same delegate ascribed Settle's "warm speech in favor of Repudiation" to a passion for "political preferment."²⁸ Indeed, Settle's speech rubbed war wounds that had not had time to heal. "When the war broke out," Settle asserted, "I had the dreadful alternative of taking the one side or the other. I became a traitor, and went

into the Southern army. I went in a spirit of desperation more than of hope. I soon found that it was impossible for such villainy and corruption to succeed. I got out of the army and returned home and advocated peace on all occasions.²⁹

To bolster Settle's work in the convention, William W. Holden, provisional governor, sought the support of President Andrew Johnson. "Every dollar of the State debt, created to aid the rebellion against the United States, should be repudiated, finally and forever," the president telegraphed. "The great mass of the people should not be taxed to pay a debt to aid in carrying on a rebellion which they, in fact, if left to themselves, were opposed to." With the president's backing, Settle skillfully maneuvered the ordinance through the convention, but his inflammatory words riled fervid secessionists.³⁰

In addition to serving as a delegate to the convention, Settle represented the thirty-eighth district in the state senate. Despite strident opposition to the Thirteenth Amendment abolishing slavery, the General Assembly of 1865-1866 ratified it. Settle's role in passing the amendment was crucial. Not only did he lead the fight in the convention to ban slavery, but he also defeated one of the chief opponents of the Thirteenth Amendment in the contest for the speakership of the state senate. In that capacity, Settle helped prepare a memorial to President Johnson embracing "with zeal and... a loyal spirit" Johnson's "plan for the restoration of the State" to the Union. The General Assembly asked the president for the reestablishment of civil law. Beyond that, the lawmakers took a wait-and-see attitude. In the words of one state senator, it was more politic to "remain quiet for the present until we get back into the Union."³¹

The prospects for North Carolina's "early admission" were not promising, however. Writing in early 1866 from Washington where he had been denied a seat in the United States Senate, John Pool, a prominent antebellum Whig, told Settle that the "efforts of the Secessionists to work themselves into power" as well as "foolish talk & newspaper articles are made the basis of a course of policy that will keep us out for some time to come & will compel us to submit to conditions that would never have been thought of, if a more prudent & wise course had been adopted. We have the consolation of knowing that we foresaw the consequences, & did all in our power to avert them. But we must all suffer together." Pool concluded grimly: "The President is not able to control Congress & his policy will be modified..."³² When North Carolinians rejected the constitution proffered by the 1865-1866 convention, and the General Assembly of 1866-1867, in keeping with the rest of the South (except Tennessee), refused to ratify the Fourteenth Amendment, the state edged toward "radical" Reconstruction.

The passage of the first Reconstruction Act over Johnson's veto in the spring of 1867 served as the catalyst for establishing the Republican Party in North Carolina. The convention of delegates that met in Raleigh on March 27, 1867, represented fifty-five counties. Among the 147 delegates were 46 African Americans and 101

whites, including Settle. Again, Settle played an important role. When debate centered on whether to adopt the name "Republican" or "Union" for the new party, Settle argued forcefully that "Republican" was "the choice of the loyalists of North Carolina, without regard to race or color." In his view, the party had "a patriotic duty" "to reconstruct the Union." Settle's argument carried the day.³³

The first evening of the convention Settle delivered a rousing speech. Reminding the delegates of the war's legacy, he chastised "rebels" who had "spurned" generous offers for reunion from the federal government. Because of that "stubbornness," it had become necessary to "lay the corner stone of the Republican party in North Carolina." "The war," he declared, "was commenced to perpetuate slavery. It went the other way, contrary to the expectations of all the leaders of the rebellion. Therefore, slavery is forever dead... This has been the work of God, and I can say that it is for the best:" "The old crust of ideas" founded on slavery had "broken up in a thousand fragments" and had floated away. Settle readily accepted the label "radical." "Why, all great reformers are radicals;" he said, "they go to the root of the matter." The convention must show "old fogies" "a new era of revolution" where "republican liberty" would prevail. Emphasizing that he had entered the Democratic Party before the war to fight for reform, especially free suffrage, he demanded that the Republican Party stand on the same platform. In closing, Settle commended the African American delegates for their moderation, intelligence, and patriotism.³⁴

Settle chaired the committee on resolutions that repudiated secession, endorsed emancipation, embraced the extension of civil rights to every citizen, and upheld "Impartial Enfranchisement without property qualification." Other resolutions called for universal education, free speech, and the maintenance of public credit. The convention adopted the resolutions. Settle's transformation from cautious Unionist who still spoke of a "white man's government" in 1865 to radical Republican who accepted the Reconstruction Acts, the Fourteenth Amendment, and the political and civil equality of African Americans in 1867 appeared breathtakingly swift. But as he told the Republican convention, "one month flings a greater flood of light upon the world than fifty years ordinarily." Settle wanted to usher North Carolina into an era of reform that would benefit the material well-being of both races.³⁵

Settle's work in the Republican convention brought increasing demands for him to take the stump and articulate the new party's position. One political ally asked him to give a "big speech" to a Republican mass meeting in Northampton County. "Now is the time to build up the Republican party," he insisted. "Negro suffrage connected with the four of confiscation has knocked secession out of traitors. The highest duty of a Christian patriot is to oppose the works of the devil and the democratic party."³⁶

Settle did present a "big" speech. In one of the most remarkable speeches delivered by a native white during Reconstruction, Settle offered a vision of southern society audacious in its concept and far more progressive than most native whites

could accept.”³⁷ Before a large, integrated audience at Spring Garden in Rockingham County on June 22, 1867, Settle responded to his “neighbors and friends, especially amongst the colored people, [who] have expressed a desire to hear my views on public affairs,” He noted pointedly: “I have no arguments for the one that cannot be properly addressed to the other, Your rights and duties are mutual, and the sooner you understand them the better for both.” After reviewing the follies of “the politicians of the cotton States” who brought about disunion and disaster, Settle reiterated points he had made on other occasions. “Instead of perpetuating and extending slavery;” the secessionists destroyed it. Jefferson Davis, he maintained, might have prolonged slavery had he negotiated an end to the war within the first two years. Addressing African Americans, Settle admonished: “You are under no obligations to the secessionists for your freedom,... they intended just the reverse.” Even the Republicans, confessed Settle, did not initially propose to free the slaves, only to preserve the Union, but they “have proved themselves to be your best friends” during and after the war.³⁸

Turning to the question of the South’s economic future, Settle predicted that free labor ultimately would outstrip slave labor in productivity. He described a North full of “school houses, railroads, canals, steam boats, factories, work shops, cities, towns, beautiful villages and neat farm houses... while poverty and pride surround us here.” Free labor explained the contrast. Slavery, he said, was “a blight and mildew upon every land it ever touched. Educated labor and machin[e]ry are what we now need, to make this country what it should be.” Calling for the education of the “laboring classes;” Settle asserted: “There has been a general breaking up of old ideas, and we are now taking a new start in the world.” He also assailed those who denounced northerners: “I tell you that yankees and yankee notions are just what we want in this country.--We want their capital to build factories and work-shops at our magnificent water powers... We want their intelligence, their energy and enterprise to operate these factories and to teach us how to do it ... The factories will supply the farms with all they need, and the farms in return will supply their wants.”³⁹

Settle’s progressive views presaged those of New South spokesmen by more than a decade. He challenged Old South values with economic maxims that would generate tensions between proponents of a New South and defenders of the ancient regime in the years following Reconstruction. In 1867, however, the Lost Cause remained inchoate. For a modernizer like Settle, the heady days immediately after the war offered an opportunity to define the South’s future in profoundly different ways. What Settle proposed fit comfortably into the New South shibboleths of the 1880s.⁴⁰

Settle realized that the South’s race relations held the key to the region’s economic and political success. “Some of our people are daily declaring that they are better friends of the colored people than the yankees; that the yankees are putting bad notions in their heads, and various other appeals calculated to produce bad

feelings," he cautioned. "Now all that is foolishness; first, because you can never make the colored man believe it, and secondly, if you could it would be wrong to do so. Sectional appeals of that character are unpatriotic." Settle warned: "This is a new business, and our success and prosperity depends upon the good feeling that ought to exist between the two races." Urging African Americans to forsake appeals to prejudice, whether made by northerners or southerners, Settle pledged Republican support for "Union, Liberty and Equality before the Law." The former Democrat said the Republican party "endorsed the measures adopted by Congress for the reconstruction of the Southern States..." in his view it would be "madness and folly" to resist the congressional plan.⁴¹

Settle refused to duck the troublesome issues that the opponents of Reconstruction persistently raised. He reminded African Americans that "those who oppose your enfranchisement are in the habit of charging the whole race with falsehood, and indeed we all know too well that deception was an incident of slavery..." He admitted that certain northern politicians such as Thaddeus Stevens hoped to confiscate southern estates, but he doubted it would happen. Even though secessionists called Republicans the "nigger party;" Settle said the party had administered "the most magnanimous government on earth to rebels" and accused the secessionists of "base ingratitude." The former slaveholder also discussed the explosive issue of "social equality." Refusing to challenge generations of racial and class arrangements, Settle argued: "It [social equality] does not exist now amongst the whites, and no law has ever attempted to regulate that matter in this or any other country. Every man chooses his own company. You cannot legislate one man into the house or society of another." Still, he believed, the Republican Party wished "to pull down none, but to elevate all ... It is the party of humanity."⁴²

Settle concluded his bracing speech with a frank admission: "Some of you may say that I am not consistent. I do not pretend to be ... A great many boast of their consistency, when they are only consistent in errors which they ought to confess and renounce at once." Though he had taken part in the rebellion and remained disfranchised because he had held the office of solicitor, Settle denied any ambition "to curry favor with the white man or the colored man." He wanted his family "to have a government fit to live in. The object of my ambition now is to see this country developed." The "first great step" had been taken with the abolition of slavery. "I now wish to see ignorance give way to intelligence, vice to virtue, and penury and want to wealth and happiness."⁴³

Settle's disclaimer about his political aspirations notwithstanding, the Spring Garden speech advanced a vision of the reconstructed South that was startling in its candor and daring in its ambitions for the region-politically and economically. Settle's dream of a biracial society based on free labor and equal rights directly threatened those secessionists and their postwar allies who hoped to "drift over present troubles, and stave off for a season any settlement" until a white backlash

barred African Americans from participating "in the affairs of government."⁴⁴

Settle thus combined the disparate elements that defined a scalawag. His original Unionism, annealed by the fires of war, was the bedrock upon which he would build a reconstructed South of economic opportunity for all races and all classes. If political pragmatism dictated that the enfranchisement of the freedmen was the only means of achieving that economic and social transformation, Settle did not shrink from the prospect. He accepted it and struggled stubbornly throughout Reconstruction to promote democracy and reform. True, he refused to endorse "social equality," but very few whites of either party favored integrated schools or public facilities. That southern white Republicans were willing to accord freed people equal access to such institutions was revolutionary in itself.

In the April 1868 elections the Republican party of North Carolina fielded its first slate of candidates, including Thomas Settle as a nominee for associate justice of the state supreme court. The Republicans expected a normal political rivalry, but the Democrats, styling themselves "Conservatives," showed no such restraint. In the words of historian Otto H. Olsen, the Conservatives were united by "racism, reaction, and political extremism." One Conservative newspaper roared: "THE GREAT and paramount issue is: SHALL NEGROES or WHITE MEN RULE NORTH CAROLINA? All other issues are secondary and subordinate and should be kept so."⁴⁵ The Republican ticket, headed by gubernatorial candidate William W. Holden, swept the state, and Settle was elected to the state supreme court. The electorate, swelled by nearly eighty thousand enfranchised freedmen, also ratified a new state constitution that guaranteed universal manhood suffrage, democratically elected state and county officials, a tax-supported school system with facilities for all races, and homestead exemptions to protect debtors.⁴⁶

The campaign, however, had been bitter. Disturbed by the depth of acrimony, Settle sensed that future campaigns would no longer be traditional contests. The new Republican judge warned his allies to prepare accordingly for the presidential election. When Richmond M. Pearson, Settle's old law tutor, joined the Republican party, the former student welcomed him. "All great reforms meet with opposition," wrote Settle, "and you need not expect in these days of passion and violence that an exception will be made in your favor..." The "movements of the secessionist[s] & nullifiers" had all failed, noted Settle. But Republicans could be no less vigilant. "I really believe," asserted Settle, "that we are on the verge of another rebellion & it will require determination and boldness to crush it. The nullifiers are very active in perfecting their organizations and they display far more bitterness than they did in 1860-61. They must be beaten. The election of [Ulysses S.] Grant is a national necessity." Faced with fraud and disorder, Republicans could not "dilly dally and discuss questions of delicacy and propriety when we are dealing with desperadoes ... Power is all that they do or will respect."⁴⁷

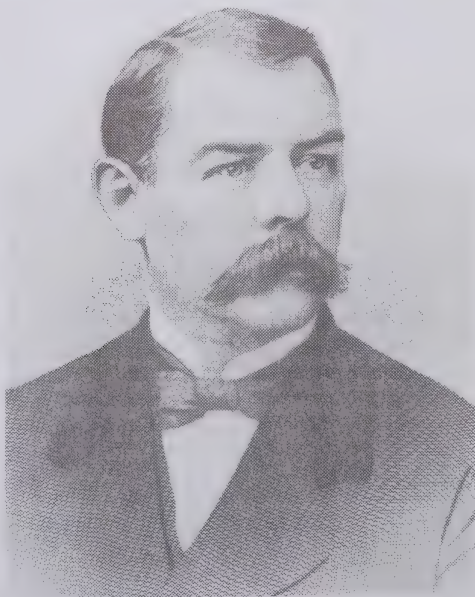
To Albion W. Tourgee, an Ohio carpetbagger who had been elected judge of the



Alfred M. Scales
(1827-1892)

Attorney, Confederate General,
Congressman and North Carolina
Governor (1885-1892).

Courtesy of North Carolina Office
of Archives and History



Albion W. Tourgee
(1838-1905)

Republican leader in post-Civil War
North Carolina, superior court
judge and novelist whose works
were based upon his experiences as
a "carpetbagger" during
Reconstruction.

Courtesy of North Carolina Office
of Archives and History

state superior court, Settle expressed even greater alarm. "I am glad you are organizing... for a vigorous campaign:" Settle declared. African Americans, he predicted, would support Republicans "to a man, in consequence of the organizations which have been formed to deprive them of employment & homes if they do not vote to suit the conservatives. These organizations are holding meetings all over this section of the State & they boldly proclaim that no republican, white or black, shall work or live on their lands: " Even though Settle doubted the scheme would work---"self interest is stronger than any wicked political resolution"--he feared a Democratic victory would mean "good-bye home, government, Country & all. Grant must be elected." Settle believed Republicans must do "whatever is necessary" to defeat the "destructives" who were "very active and violent."⁴⁸

The organizations to which Settle referred occupied much of the judge's attention in the ensuing years. The Ku Klux Klan made its first appearance in the 1868 elections. Rockingham County, the judge's home until 1872 when he moved to Greensboro for the safety of himself and his family, was near the center of Klan disorders and violence. The Klan was strongest in areas in which the balance of power between Conservatives and Republicans was closest, especially the Piedmont. In eastern counties where black majorities dominated, the Klan was much less active,⁴⁹ Between 1868 and 1870 Alamance County experienced at least seventy-eight instances of Klan violence directed mostly at blacks but also at a number of whites. In Rockingham County, Klan terror reached its zenith in the spring and summer of 1869. Settle informed Tourgee: "Men in disguise, at night, have... inflicted cruel whipping upon several of our colored citizens. Forbearance only invites further violence. This state of affairs is simply intolerable, and must be stopped." To Governor Holden, the judge pleaded: "Our condition here is intolerable... I do not believe that any number of magistrates can correct this matter-it will require military force."⁵⁰

With the support of David Reid, the former governor, who publicly declared his opposition to the Klan, Settle quelled the disturbances in Rockingham County, but the Klan remained a constant threat to public order and peaceful elections and a concern to the judge.⁵¹ Following the murders of Wyatt Outlaw, the African American president of the Union League in Alamance County, in February 1870 and John W. Stephens, Republican state senator from Caswell County, in May, Governor Holden called out the militia and placed both counties under martial law, thereby launching the so-called "Kirk-Holden War." In August and September 1870, three of the justices of the state supreme court-Richmond Pearson, Robert Dick, and Thomas Settle-held two weeks of hearings to examine many of the Klansmen arrested by Colonel George W. Kirk's forces. In all, the justices bound over forty-nine suspects to the superior courts.⁵² Writing after the hearings, Settle cautioned Tourgee that despite "a cessation of actual violence," the Klan could "break loose... bolder than ever." Accusing the Klan of devising a plot to "subvert the present form

of government," the supreme court justice feared "that rebellion and Confederacy are about to triumph."⁵³

In February 1871 Judge Settle testified before the Select Committee of the Senate to Investigate Alleged Outrages in the Southern States. Settle recounted some of the more infamous examples of Klan atrocities in Rockingham County. In one case Kluxers took "an old negro man over 70 years of age, very feeble and partially blind," and whipped him. They then seized his two daughters, "stripped them down to their chemises, and whipped them" too. Still not satisfied, "they took a young negro man who was in the house that night and whipped him, and compelled him to go through the form of sexual intercourse with one of the girls, whipping him at the same time." In another instance the Klan started whipping a black couple. When the woman "began to cry out murder, and make a great noise," the Kluxers grabbed "a chunk of burning wood and thrust the firebrand down her mouth." The woman took six weeks to recover. Though Settle issued warrants in every case, "There were no prosecutions." It was impossible to punish the perpetrators. "The defect lies not so much with the courts as with the juries," explained the judge. "You cannot get a conviction: you cannot get a bill found by the grand jury, or, if you do, the petit jury acquits the parties." The Klan members had sworn "to prove an alibi" if summoned as witnesses. According to Settle, there had "not been a single... conviction" in the entire state.⁵⁴

The Republican judge blamed the Democrats for the outrages. "I do not think it is accidental," Settle testified. "[M]any of our best people seem to think that it is right. They say, if it was not for the Ku-Klux, they could not have anything in their corn-cribs or smoke-houses, and that the Ku-Klux are their only protection. "When asked about the "cause of these disorders," Settle offered an analysis of the political divisions created by the war. "I have no doubt it is the sentiment of the old war feeling engendering a bitter state of feeling about the loss of slavery-the bitterness that sprang up during the war." Settle urged the Congress to remove "political disabilities." They were "doing more harm than good" by creating sympathy for the most "obnoxious" Confederates whose former slaves exercised the suffrage. He too had been disfranchised until 1868, "and that is one reason why I have never opposed any other man's enfranchisement." Settle admitted, however, that eliminating the disabilities would not restore social harmony. "The disease is too deep-seated... It arises from the hostility and bitterness growing out of the war." Still, the Republican judge shied away from federal intervention: "I think probably the remedy lies in ourselves; let us work it out."⁵⁵

Ultimately, the Conservatives worked it out by passing "An Act for Amnesty and Pardon" in 1873 that exculpated persons "who may have committed any crime against or violation of the laws of the State" except for "rape, deliberate and wilful murder, arson and burglary while a member of... the Heroes of America, Loyal Union League, Red Strings, Constitutional Union Guard, White Brotherhood, Invisible

Empire, Ku-Klux Klan, North Carolina State Troops, North Carolina Militia, Jay Hawkens, or any other organization, association or assembly. secret or otherwise, political or otherwise" before September 1, 1870.⁵⁶ Behind the scenes Settle vigorously opposed the act and even wrote an anonymous editorial attacking amnesty.⁵⁷ Because the legislation implied that the Republican groups named in the 1873 act operated outside the law, the party fiercely opposed the inclusion of their organizations in the legislation, but to no avail. Republican resentment strengthened the next year when the Conservative General Assembly added murder, arson, and burglary to the crimes exempted in the 1873 act and thus gave the Klansmen full amnesty.⁵⁸

Not just the Ku Klux Klan plagued Settle's tenure on the state supreme court; the Republican judiciary was under relentless attack by the Conservative press throughout Reconstruction. The Raleigh Sentinel characterized Republican judges as "a disgrace to the bench, a mockery of dignity and decency, a laughing stock for the legal profession and a curse and blight to the people..."⁵⁹ In 1869 over one hundred lawyers signed a "Solemn Protest" alleging "political partisanship by the Judges of the Supreme Court" during the 1868 elections. They expressed "profound regret and unfeigned alarm for the purity of the future administration of the laws of the land." Chief Justice Pearson considered the protest a "contempt of court" and demanded that the accusations be withdrawn. The lawyers who had signed the protest disavowed any intent to act in contempt, and Pearson restored their right to practice before the state supreme court. Justices Dick and Settle, though supportive of Pearson's original action, reportedly were less forgiving than the chief justice.⁶⁰

Contrary to Conservative propaganda, the Republican-dominated bench had many capable jurists. Pearson had personally trained many of the state's leading attorneys. Settle, Dick, Edwin G. Reade, and other Republican judges, according to Otto H. Olsen, "were able, educated, and unusually enlightened men who displayed an effective and persistent attachment to democracy and reform."⁶¹ Whereas Settle wrote clear, concise opinions that went directly to the heart of a case, Pearson and Reade tended to be more discursive and philosophical in their rulings. Settle adhered closely to legal precedents and the 1868 state constitution, which extended rights to women and freedmen that would have been inconceivable a few years earlier. He defended the property rights of women and of freedmen and protected black jurors from arbitrary dismissal. Settle rebuked "prejudice against negroes" as "a diseased sentiment" that "poisons the very fountain of justice, and calls for the denunciation of all good men as well in Court-houses as out of them."⁶²

In the aftermath of the Civil War, numerous cases arose concerning the disposition of debts incurred before secession but paid off in Confederate currency, notes, or bonds during the conflict. Settle was sympathetic in some cases, indignant in others. "We cannot close our eyes upon the past and forget that thousands of our most prudent citizens have become bankrupt by investments, which appeared to be

the very best that could be made at the time;" he declared. "It is one thing to sit in judgment upon the past, and quite another to foresee consequences:⁶³ Still, the Republican justice refused to hold defendants liable for debts settled in Confederate currency. In one case a plaintiff had redeemed ten-year-old internal improvement bonds purchased in 1852 with 1862 treasury notes from the state of North Carolina. In 1871 he wanted the state to indemnify his losses. "Had the rebellion, of which this currency was in part the life-blood, succeeded, his may have been a good investment," allowed Settle, "but as it has failed, he must share the fate of all who invested their money, or rather their property, in securities of an illegal character. As the tree has fallen, so let it lie ... These notes are not slightly tainted, but spoiled."⁶⁴ In another case in which bonds indisputably helped to pay for Confederate armaments, Settle minced no words. The court had ruled numerous times on contracts "infected" by "rebellion," he said. The court had established a principle "that whenever a dollar has been expended to destroy the life of the republic, it shall never return to the profit of its owner." Such bonds were worthless. Concluded Settle: "it is not easily imagined how one could render more efficient aid to the Confederacy, in 1864, than by furnishing it with iron, and especially iron suitable for making guns..."⁶⁵

Settle's democratic sensibilities were evident in other cases involving poor North Carolinians. No doubt Settle took secret satisfaction in ruling in 1870 that a Wilkes County farmer was entitled to compensation for the seizure of two mules during the Civil War. Confederate sympathizers, allegedly acting under the orders of General Robert F. Hoke during his 1863 military campaign against deserters and the disaffected, impounded the farmer's draft animals. The Unionist judge stated that no emergency or exigency existed to justify the confiscation of the mules without payment.⁶⁶ Settle also protected the rights of ordinary citizens against the intrusive power of larger economic interests and the state. He held the North Carolina Railroad liable for personal injuries to a woman; narrowly interpreted, in a dissent, that the poll tax authorized by the 1868 constitution applied only to education and the support of the poor and not to other fiscal needs of the state; upheld the right of a small landowner to make turpentine from timber the ownership of which was disputed; and blocked efforts of a large fishery to appropriate portions of the Albemarle Sound for its exclusive use.⁶⁷ In an important dissenting opinion, Settle and E. G. Reade raised tough questions about the emerging system of contract labor in agriculture. They argued that a "new regime," giving rise to conditions "worse than slavery," threatened sharecroppers with peonage. Farm laborers, they feared, would become more dependent than slaves.⁶⁸

Arguably the most significant and controversial opinion Settle rendered while serving on the state supreme court concerned the lease of the North Carolina Railroad (NCRR) to the Richmond and Danville Railroad (R&D). The decision echoed themes Settle had enunciated in his Spring Garden speech of 1867. The

Republican judge welcomed the prospects of economic improvement and capital investment from outside the state. In upholding the R&D's 1871 lease, Settle noted that "the charter of the North Carolina Railroad Company is one of the most liberal ever granted in this State." The R&D therefore had the right to change the gauge of the NCRS so as to connect that road with lines in Virginia and South Carolina. "There is no wall around North Carolina to exclude foreign corporations from entering the State and doing business here," declared the justice. "On the contrary, it has been our policy to invite them in." That "spirit of liberality," Settle affirmed, would create "profitable sources of revenue" and develop "the wealth and resources of the State."⁶⁹

Settle's decision set off a political firestorm. The lease of the NCRS had been opposed from the outset by Conservative elements who equated it with "selling out" the state. A year before the decision Republican governor Tod R. Caldwell had warned Settle privately that the "gauge" case could inaugurate a "complete revolution in... politics."⁷⁰ When the opinion was announced, the Conservative press accused the Republican supreme court of corruption. Conservatives insinuated that the judges had "received money" from the R&D and that only two of the five had concurred in the decision. In fact, Chief Justice Pearson had asked Settle to write the opinion because, according to E. G. Reade, Pearson originally opposed the lease. Pearson, however, "yielded his objection," and the three justices upheld the lease. Reade believed the court had conducted itself with great "propriety" but was "surrounded" by an unfriendly bar. In response to the charges of venality, a Republican newspaper thundered: "Such irresponsible utterances are a disgrace to journalism, and are entirely inexcusable, when it is considered that the members of the Supreme Court are gentlemen of the highest character for probity."⁷¹ The gauge issue climaxed the partisan extremism to which Conservatives subjected the Republican judiciary.

Settle served two terms on the state supreme court, 1868-1871 and 1872-1876. He left the court in 1871 to accept appointment from President Grant as minister to Peru. The southern Republican "heartily" disliked the country and the climate, however, and returned to the United States in less than a year. Unhappy and unhealthy in Peru, Settle plotted his return to the political arena. He feared that the Ku Klux Klan would be the Conservatives' "strong card" in 1872. "The elections next summer, I regard as the most important that ever took place, both in North Carolina & the whole Union," he predicted. "If I am to take any part in them I ought to be at home by January at the furthest."⁷²

Prospects for Republican victory in 1872 did not appear bright. Under attack since 1868, Republican ascendancy had crested and then declined. In 1870 the Conservatives regained control of the General Assembly. The following year they impeached and removed from office Governor Holden. Settle, who had his eye on the 1872 Republican gubernatorial nomination, would have to unseat Tod R.

Caldwell, the lieutenant governor who had succeeded Holden as governor. Early on, African American legislators warned Settle "that the colored vote of the Eastern part of the State was now for Caldwell for Governor, but [they] were willing to give you anything else." Another supporter told the former judge that Republicans should expect trouble. "There are signs of dissatisfaction," he informed Settle, "and I fear some white and many colored voters will bolt-the Blacks about 'civil rights' &c." Even Robert Dick, wearied by the Conservatives' unremitting political attacks, sounded pessimistic. "You and I have stood this fire for ten years," he complained. "We have given position and character to the republican party at a time when it needed such support ... We stood foremost in 1867 when others who now claim a great deal of credit 'were afraid to take water'."⁷³

Settle lost the gubernatorial nomination to Caldwell but, because he was closely identified with Grant, was chosen to preside at the National Republican Convention in Philadelphia, "a compliment to him and the Southern States." In that capacity Settle received accolades as the "ideal" southern gentleman-"brave, chivalrous, generous and kind-hearted ... a man of magnetic ability."⁷⁴ More importantly, the former judge accepted the Republican nomination for a seat representing North Carolina's fifth congressional district. Davidson County supporters, affirming their "adherence to the principles of that grand Republicanism which saved the glorious Union from dissolution, dishonor, and disgrace;" hailed Settle as "an accomplished scholar, a profound jurist, and a statesman of incorruptable [sic] integrity." They also praised him as a "Champion of the 'Home-stead Law,' which secures to thousands a home that would otherwise be houseless and homeless." Mindful of the "guile and deception" of the "Democratic Conservative Ku-Klux party," the Davidson Republicans urged Settle to run for Congress. Settle's congressional campaign in 1872 proved to be a rehearsal for the 1876 contest against Zebulon B. Vance.⁷⁵

In a speech at Graham in Alamance County in May 1872, Settle signaled the kind of campaign he would wage. It was crucial to Settle to define the Civil War's legacy. The war had brought revolutionary change to the South, but how that change was interpreted would have far-reaching effect on the political life of the region. For him conflicting versions of the war became a central part of the political debate. In the words of historian David W. Blight, "rival memories" competed "for hegemony." Settle sought to shape people's memories by reminding them of the bitter experiences and sacrifices they had endured during the war. Settle's interaction with his audience was as much an act of re-construction as re-collection. In the early 1870s southerners' views on the war and its meaning had not yet hardened. Even before the efflorescence of the Lost Cause in the 1880s, Settle hoped to thwart an interpretation of the war that enshrined old South values of slavery, constitutional conflict, and aristocratic privilege. In order to contrast those spurious issues with freedom, democracy, and equality, the Republican candidate showed that the contest over memory was in part a struggle about the present.⁷⁶

At Graham, Settle reminded the audience that Governor Vance's militia during the war had surpassed in "barbarity and savageness" Colonel Kirk's militia in suppressing the Ku Klux Klan. Vance's forces tortured women in Randolph County. With respect to the war, Settle claimed that he was willing to "let by-gones be by-gones," but the Democrats kept raising the rebellion and the military campaign against the Klan to promote their cause. In contrast the Republican party stood for "Equal Rights, Civil and Religious Liberty, Free Schools, Progress, Justice." Calling slavery "a curse instead of a blessing," Settle asserted that African Americans now enjoyed the rights and privileges of all free men. The Republican judge maintained that "Black slavery is dead, but now we have white slavery." Every man who joined the Klan, he believed, "became a slave to those who duped him into it, and a slave to base and hellish designs." The Klansmen who murdered or abused Republicans of both races were the same men who collected taxes and jailed Unionists and conscripts during the war. Characterizing the Democrats as "the party of Slavery and narrow contracted ideas," Settle insisted that the Republican party advocated "freedom and... the greatest good for the greatest number."⁷⁷

Borrowing a strategy from Stephen Douglas, Settle challenged incumbent congressman James M. Leach to a joint canvass. Leach accepted. Until then, the campaign had been ugly. At Milton in Caswell County unruly crowds pelted Settle and the United States flag with rotten eggs and frequently interrupted him with "rude and insolent questions." At Yanceyville, the site of the murder of John W. Stephens. Settle was cursed, denounced, and threatened with violence. Despite the coarse character of the campaign, Settle lost by only 268 votes out of 21,000 cast. Republicans attributed Settle's defeat to "brow-beating, intimidation, corruption, and... bribery." Several hundred voters, especially African Americans, allegedly were denied the right to vote.⁷⁸ Still, among Republicans, Settle remained unsullied. William W. Holden called him a "rising young man," and William A. Smith, president of the North Carolina Railroad, considered him "the coming man in the State. He has more real influence and more personal friends than any man in the State." Settle, however, remained "very quiet about his future political prospects."⁷⁹ In the meantime, Governor Caldwell had reappointed him to the state supreme court to replace Robert Dick, whom President Grant appointed to the federal bench.

The issues that Settle championed in 1872 had grown more urgent four years later. At stake were the democratic reforms enacted under the 1868 constitution. North Carolinians, Settle believed, must understand that the hard-won victories of the war could still be lost to the very politicians who had caused that calamity. In July 1876 he resigned from the state supreme court to accept the Republican nomination for governor and to challenge Democratic candidate Zebulon Vance. Settle immediately proposed to Vance that they conduct a joint canvass and "divide time" at speaking engagements. "It is desirable that the issues of the campaign be thoroughly discussed," stated Settle, "and I therefore make this proposition in good

faith.”⁸⁰ After considerable foot-dragging, the Democrats agreed. Over the three months the two candidates met throughout the state in fifty-seven debates. Contemporaries as well as historians recognized epic nature of the election. Vance’s law partner and biographer dubbed it “the battle of the giants.” An early biographer of Settle compared the election to the Lincoln-Douglas debates. One historian termed it simply “the greatest political contest in the history of North Carolina.”⁸¹

Early in the campaign a Republican editor predicted the character of the canvass: “Judge Settle has a certain intellectual positiveness and clearness of statement totally foreign to Vance. Vance is quick at repartee and can ‘set the table in a roar,’ and can tell [an] abundance of doubtful yarns not fit for polite ears, but his logic is usually loose shambling, and his language is either wild and extravagant or inconsequent and ineffective.” The Democrats had their own ideas about the campaign. “This paper in the future is in favor of drawing the line between the white and black, regardless of the consequences;” announced the “*Albemarle Register*.” “Let the line be drawn. Are you in favor of the white man’s government?... Let the watchword be hereafter—Stick to your color! It is useless to attempt to reason with ignorant negroes.”⁸²

During the campaign Settle emphasized four major themes: Vance’s war record; Democratic corruption; the pernicious effects of racism; the threats posed by the constitutional amendments adopted by the Constitutional Convention of 1875, which would be voted on as a unit. Vance responded with his own charges of Republican corruption, defense of his war record, and appeals to white supremacy.⁸³ On the corruption issue, neither side was stainless. The war issue resonated much more deeply, and the constitutional amendments became a referendum on the reforms instituted under Republican rule since the war. Racial issues became mixed with both the war’s legacy and the amendments.

In his speeches, Settle denied that he had ever been an “original secessionist.” Except for his brief service in the army, which he had repudiated as early as 1865, he supported the Union steadfastly and even voted for Vance, who ran for governor as “a Union candidate” in 1862. After the election, Settle contended, Vance issued proclamations viciously attacking deserters and calling for their ostracism. Furthermore, Settle accused Vance of seeking help from the Confederate government to intimidate deserters, Unionists, and their families. The Republican judge even produced copies of Vance’s proclamations and correspondence with Confederate officials in Richmond to prove his points. Settle admitted that as a solicitor he had “prosecuted cases under these bad laws” but asserted that he had not requested them from the legislature and Confederate Congress or asked for Jefferson Davis’s help in enforcing them. In perhaps the most memorable line of his campaign, Settle said that Vance “got to be such a war man that he wanted to fight until hell froze over and then fight on the ice.”⁸⁴ Following Settle’s lead, Republicans castigated Vance as a man “recreant to the trust reposed in him by the Union-loving men of North Carolina in 1862... an insult to every Union man whose confidence he

betrayed; to every conscript whom he persecuted; to every Confederate soldier whose life was endangered or whose comrade was slain in useless battle to promote his unholy ambition....” “ Interpreting Vance’s war record in the harshest way possible. Republicans promised to end “Ku Kluxism” and to defeat “the infatuated followers of that arch demagogue and trickster, Z. B. Vance.”⁸⁵

Settle’s appeals to people’s memories of the war generated a passionate response from the Democrats. They called the Republican candidate “a renegade Confederate captain” and mocked his war record. One piece of doggerel titled “Captain Settle” proclaimed:

I’m Captain Settle of the court Supreme,
And always fed on cake and cream,
Till In a mad secession dream,
I joined the rebel army...
As might was right, I turned my coat,
And using all the negro vote,
A brand-new constitution wrote, Under Canby’s army.

Terming Settle a demagogue, the Democratic press charged: “Judge Settle scratches the scabs from the old sores of the Confederate war, and tries to leave them bleeding.” The Democrats chastised him for dwelling “amid the smoke and ruin of dark, devastating war.” With surprising magnanimity, the Democratic Raleigh *Sentinel* praised “the men who, in the armies of the Confederacy or of the Union, gave up their lives for what they thought was right:” When the Democrats spread a story that Settle had drummed two men out of Company I of the Thirteenth Regiment for refusing to take the Confederate oath, seventeen members of the company from Rockingham County protested. In order to protect the “memory of our brave comrades of that dear old company” who fell in battle from “such foul aspersions;” the veterans stated that two men were “drummed out of camp” for “thieving.” Claiming no desire “to shield Judge Settle,” they swore that they had “never voted other than the conservative ticket.” In such exchanges could be seen the emerging outlines of the Lost Cause’s reverence for honorable military service, respect for the Confederate dead, and sectional reconciliation in which veterans of both armies received homage and esteem.⁸⁶ Settle was swimming against a historical tide.

Just as both sides tried to re-construct people’s memories of the war, so too they attempted to define the character of the constitutional changes that had occurred since the war. Vance left no doubt that he opposed changes to both the state and federal constitutions, calling them “frauds:” The abolition of slavery, he said, was a “palpable violation of the Constitution.” He preferred to live under “the old constitution of our fathers.” During the debates Vance posed nine questions to Settle

that included such queries as “Which of the constitutional amendments are good? Were the reconstruction acts constitutional? Does [Judge Settle] approve the civil rights bill?” The Democratic candidate considered the Civil Rights Act of 1875 “the entering wedge to social equality.”⁸⁷

In contrast Settle defended the 1868 constitution. Alluding once more to the war, the Republican judge noted that the “secession democracy” had opposed “every effort at reform in the government...” The new constitution, he proudly stated, included a “homestead, the mechanics and laborers lien law, the abolition of imprisonment for debt, the establishment of the rights of married women,” and other democratic features. Now the Conservatives proposed to dismantle the constitution after fraudulently winning control of the 1875 constitutional convention. The amendments that came out of that convention would remove home rule in the counties and give the General Assembly the power to appoint justices of the peace in the place of locally elected county commissioners. Settle warned that if those amendments passed, the Democrats would attack the homestead next. “The Constitution of 1868 is the best one you have ever had,” he pleaded. Should the people approve the amendments, the result would be “one sort of county government in Guilford and another in Forsyth. You make a spotted State.”⁸⁸

Other amendments outlawed interracial marriage and integrated schools and channeled moneys from grants of federal land into the state’s general fund instead of the public school fund. Appealing to the class interests of farmers and workingmen, Republicans pointed out that “the old privileged class” sent its sons to the state-supported University of North Carolina, while public schools remained neglected. A Republican journalist wrote, “The sons of *rich* men are educated at the University at the expense of poor men, and the sons of poor men grow up in ignorance.” Indeed, Republicans warned that the Democrats intended to extend laws designed for blacks to whites as well. Cautioned the *Wilmington Post*: “The oppressions the iron yoke of petty and mean tyranny which Democrats are now attempting to put on the necks of the blacks, will also at some future time gall the necks of the white[s].” The Democrats’ policy was to “put the whole laboring and poorer part of the population under the nether millstone of a tyranny which will grind them to dust,” declared the Republican newspaper. The “southern Democracy is inimical to the laboring white population.”⁸⁹

The warning to white Republicans needed no embellishment for African Americans. They understood that Republican defeat would mean their “ruin.”⁹⁰ Democratic racism was anything but subtle. The Democrats typically portrayed the Republicans as the “great negro equality party.” To promote public support for the constitutional amendments prohibiting integrated schools and interracial marriage, Democrats asked voters: “Do you think negro children and white children ought to sit side by side in the school house, and do you think negroes and whites ought to intermarry?” Labeling the practice “revolting” and “humiliating,” the Democratic

press reported instances in which black farmers had bid in public auctions for the labor of white paupers. One Democratic broadside carried the headline: "White Slavery in North Carolina---Degradation Worse Than Death." In describing Settle's supporters at campaign rallies, Democrats referred to "niggers" and "ragged darkeys": "Vance denied that 'he did not want the vote of any nigger or poor man,' but Democrats blamed African Americans for drawing 'the color line' by supporting Republicans 'in[a] solid phalanx.'" ⁹¹

Settle implored North Carolinians to reject "Vance's appeals to prejudice against colored people." Touching on themes from his Spring Garden speech of 1867, the Republican judge insisted that "forty millions of the great Anglo-Saxon race should... be willing to give to four millions of poor, ignorant, slave-ridden Africans an equal and fair race in the contest of life..." Settle urged whites to "accord to them [blacks] protection before the law, and the exercise of the ballot as citizens; and instead of raising prejudice or passion against them, help them to become better citizens, and useful as they are an industrious people." ⁹²

In contrast to the bloody election then under way in South Carolina for "redemption" of that state, the joint canvass in North Carolina was decorous and peaceful. The antagonists treated each other with mutual respect and good humor as the debates drew huge crowds. Settle laughed at Vance's anecdotes but spoke "in dead earnest" about the issues. Vance entertained the crowds in his "inimitably humorous style." When drunken rowdies threatened to disrupt proceedings, both speakers silenced hecklers. Only occasionally did fights break out. ⁹³ Republicans were ecstatic. "You have rallied the Republican party as no other man has ever done in N.C.," Robert Dick wrote to Settle. "You have dispelled the popular delusion that *Vance was invincible on the stump*. You have won more reputation in this canvass for ability than you would have had an opportunity of doing in ten years on the bench or at the law. Your canvass is regarded throughout the union as a national canvass." Dick predicted that Settle would be the "'Coming Man' at the South" should he win. ⁹⁴ When Settle and Vance met at Hillsborough, students from the University of North Carolina attended. They "gave the preference to [Settle's] speech over Vance's as a specimen of oratory." ⁹⁵ At the conclusion of the canvass both Settle and Vance expressed admiration for each other. Vance joked that the Republican judge could "swear me in as governor next January." Settle wrote Vance that "my regard for you was higher at the close of the joint canvass than it ever had been. It will at all times be a pleasure to me to cultivate our friendly relations." ⁹⁶

Settle's spirited campaign could not overcome Vance's personal popularity or Democratic appeals to racial solidarity. Republican calls for progressive class politics uniting black and white interests failed. Although Settle received almost 47 percent of the vote, he lost by almost 14,000 votes out of 222,000 cast, and the constitutional amendments carried. According to one Republican observer, Settle received about as many white votes as black. Another supporter blamed Settle's defeat on the "poor

decrepid souls that had not voted in any election since the war." They finally came out of "their hiding places" and, in a "gross act of ingratitude," voted for Vance.⁹⁷

The Democrats, meanwhile, rejoiced in their victory. The "bloody shirt has been overwhelmed," the Democratic press exulted. North Carolina was "now a white men's state and white men intend to govern it hereafter." Thomas Jarvis, the new Democratic lieutenant governor, congratulated Vance for his "great vindication by the white people of the State..." According to Jarvis, "Truth has triumphed over falsehood--Right over wrong." North Carolinians had rejected Settle's "lies" about Vance.⁹⁸

Settle's supporters were stunned. Republicans made the customary accusations of fraud, intimidation, and bribery, but instances of violence appear to have been rare and Vance's margin of victory was convincing. The Raleigh *Sentinel* even made conciliatory gestures toward "the colored people" and pledged that the Democratic party would protect "every right the constitution and laws of the country guarantee them." At least one of Settle's supporters, however, was ready to abandon African Americans. He argued that Republicans "cannot make another fight with the Negro." A Cumberland County Republican lamented: "I can not be as good a North Carolinian under Vance and I can not be happy and I know our political prosperity and our personal prosperity as citizens must suffer at this wild mad freak of putting Vance over us. The people will regret it ... And those amendments! What do the poor and humble people mean by voting away their liberties?" Yet another Republican bemoaned North Carolina's prospects should "Vance... be the Vance of yore."⁹⁹

Settle's nomination in 1876 had "represented a shift toward the more radical post," according to Otto H. Olsen, but voters had resisted entreaties based on political divisions fostered by the war. One Forsyth County veteran, identified as a deserter, said he did not want to hear about the war but about "how to make some bread and meat for my children..." Rather than vote for Settle, he would vote for Vance.¹⁰⁰ Settle's defeat and the demise of southern Republicanism in 1876, of course, resulted from a concatenation of political forces extending back more than a decade. That Settle chose to run toward rather than away from Republican reforms in his contest with Vance betokened a conviction that had remained firm despite years of invective and abuse. To be sure, the Republican party practiced a racism only milder than the Democratic form, but in the face of incessant demands for white supremacy, Settle had made a principled stand.¹⁰¹

Interestingly, in his campaign Vance did not appeal directly to the underlying assumptions of the Lost Cause. Instead, both Settle and Vance recapitulated the positions they had taken in 1864. Vance knew how despised the war had been. He defended his record on the grounds that he had observed writs of habeas corpus, which protected deserters and draft-dodgers, had secured badly needed supplies for the state through blockade-running and hoarding, and had safeguarded citizens from the overweening power of the Confederate war machine. His version became the

standard account of North Carolina's wartime experience. That North Carolina harbored so many Unionists could not nullify the reality that North Carolinians contributed a disproportionate share of troops and materiel and suffered more casualties than any other state in the Confederacy.¹⁰² No matter how deeply North Carolinians had opposed the war at its outset, there was no denying the tremendous sacrifices they had made. That was one part of their memory that Vance, more than Settle, could reconstruct with authority. Even more telling were Vance's attacks on the political and constitutional reforms undertaken by the Republicans after the war and especially the enfranchisement of African Americans. As United States Senator Matt W. Ransom brazenly asserted while campaigning for Vance, blacks must learn that "the negro race was an inferior race to the white man and that the negro could never occupy a position of equality with the white man."¹⁰³ Republicans had no antidote for pure, undiluted racism.

In January 1877 President Grant rewarded Settle's longtime loyalty to the party by appointing him to the federal bench in Florida. Settle's name was frequently mentioned for other high-level positions, from United States Senator to cabinet member. After Rutherford B. Hayes's controversial election, southern Republicans tried to persuade the Ohioan to appoint Settle to his cabinet. The attempt failed, leaving a residue of rancor. One of Settle's supporters, terming Hayes "a traitor to his friends," fulminated that the Republican president should be named "John Tyler-Millard Fillmore-Andrew Johnson-Benedict Arnold-Judas Iscariot." An effort to start a "boom" for Settle as a vice presidential candidate in 1879 revealed sharp sectional divisions within the Republican party. "You know that every Northern Republican distrusts every Southern Republican for many reasons," confided a political ally writing at the time, "but mainly because of their bitter experience with Andrew Johnson." He believed northerners feared that scalawags were "prone" to cultivate "social or friendly relations with the old-time secession aristocracy." Settle's advocate urged him to publish a campaign document championing federal authority over states' rights in order to demonstrate that the Florida judge was "thoroughly de-Southernized." Stephen A. Douglas, Jr. believed that Settle was wholly "reconstructed," but, despite this impression of him, Settle remained on the federal bench and did not receive another appointment.¹⁰⁴ At the time of his death in 1888, according to one commentator, Settle "was the foremost man of his party in the South..."¹⁰⁵

Otto H. Olsen, the closest modern student of Reconstruction in North Carolina, implies that Republicans failed because they were not radical enough. In his view Tar Heel Republicanism "reflected economic, political, and racial orthodoxy." However, the spectacular political assassinations of Outlaw, Stephens and Orson R. Colgrove, the carpetbag sheriff of Jones County, indicate that Republicans simply lacked the strength to prevent the cold-blooded murder of their local leaders who challenged Conservatives' beliefs.¹⁰⁶ Democrats also felt that orthodoxy was under attack when

Governor Holden summoned the militia to put down the Ku Klux Klan. As a result, he was impeached and removed from office in 1871. Moreover, Settle's career, from his Spring Garden speech of 1867 through his 1876 campaign, belied "economic, political, and racial orthodoxy." Settle was the ablest candidate the Republicans could field in a state "where the native white element was probably more numerous, more prestigious, and more experienced than anywhere else in the South,"¹⁰⁷ He promoted the economic development of the South through northern investment and free labor, condemned the emerging sharecropping system, courageously spoke out against the Klan, ran unapologetically on his party's record of reform, especially the 1868 constitution, portrayed his opponent as a duplicitous governor who had prolonged an unpopular war, and staunchly supported the political and legal rights of African Americans. If he proved unable to frame North Carolinians' memory of the Civil War, he forced Vance to defend his record without recourse to the Lost Cause orthodoxy that was taking shape in the 1870s. Settle's version of the war meant pain instead of pride, tyranny instead of rights, and reform instead of reaction. That was the "radical past" that Settle offered the electorate in 1876, one that North Carolinians ultimately rejected. Short of the wholesale confiscation of property, redistribution of wealth, and massive disfranchisement of former Confederates, it is difficult to imagine how a more "radical" Republican party could have succeeded at the ballot box. In the struggle for the memory of the war, Republicans---black and white---had failed even before the Lost Cause became enshrined in the hearts and minds of the Democratic South.¹⁰⁸

END NOTES

¹ Though surprisingly little scholarship has been devoted to the scalawags, it has been influential. An excellent synthesis is Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York and other cities, 1988), 297-303. See also David H. Donald, "The Scalawags in Mississippi Reconstruction," *Journal of Southern History*, X (November 1944), or 447-60; Thomas B. Alexander, "Persistent Whiggery in the Confederate South, 1860-1877," *ibid.*, XXVII (August 1961), 305-29; Allen W. Trelease, "Who Were the Scalawags?" *ibid.* XXIX ((November 1963), or 445-68; Otto H. Olson, "Reconsidering the Scalawags," *Civil War History*, XII (December 1966), 304-20; John V. Mering, "Persistent Whiggery in the Confederate South: A Reconstruction," *South Atlantic Quarterly*, LXIX (Winter 1970), 124-43; Warren A. Ellem, "Who Were the Mississippi Scalawags?" *Journal of Southern History*, XXXVIII (May 1972), 217-40; Otto H. Olson, "North Carolina: An Incongruous Presence," in Olsen, ed., *Reconstruction and Redemption in the South* (Baton Rouge and London, 1980), 156-201; Sarah Woolfolk Wiggins, *The Scalawag in Alabama Politics, 1865-1881* (University, Ala., 1977); Michael Perman, *The Road to Redemption: Southern Politics, 1869-1879* (Chapel Hill and London, 1984); 87-107; and William

² On the role of memory in shaping public perceptions of the Civil War see David W.

Blight, "'For Something beyond the Battlefield': Frederick Douglass and the Struggle for the Memory of the Civil War." *Journal of American History*, LXXV (March 1989), 1156-78; Gaines M. Foulmer, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865 to 1913* (New York and Oxford, 1987); and Michael Kammen, *Mystic Chords of Memory: The Transformation of Tradition In American Culture*, (New York, 1991), 101-31.

³ Thomas Settle, Jr. has received little attention from historians, though his name appears frequently in standard studies of Reconstruction North Carolina. Three works that do assess Settle's career in a broader context are Sandra P. Babb, "The Battle of the Giants: The Gubernatorial Election of 1876 in North Carolina" (M.A. thesis, University of North Carolina at Chapel Hill, 1970); Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York and other cities, 1974); and James L. Lancaster, "The Scalawags of North Carolina, 1850-1868." (Ph.D. diss., Princeton University, 1974). Though arguably the most beloved figure in North Carolina history, Zebulon Vance has been the subject of several inadequate and inaccurate biographies. See, for example, Glenn Tucker, *Zeb Vance: Champion of Personal Freedom* (Indianapolis, Kansas City, and New York, 1965). For the purposes of this article, the most useful biography has been that prepared by his former law partner, Clement Dowd, *Life of Zebulon B. Vance* (Charlotte, 1897). More reliable and insightful are the introductions to the first two volumes of Vance's papers: Frontis W. Johnston and Joe A. Mobley, eds., *The Papers of Zebulon Baird Vance* (2 vols. to date; Raleigh, 1963-).

⁴ "Address of William P. Bynum, Jr., Presenting the Portrait of Judge Thomas Settle (Jr.), to the Supreme Court, 7 November, 1905. "139 N.C. 505 (hereinafter cited as "Bynum Address"). The elder Thomas Settle owned thirty slaves in 1850. He died in 1857. William S. Powell, ed., *Dictionary of North Carolina Biography* (6 vols.; Chapel Hill and London, 1979-1996), s.v. "Settle, Thomas" by Lindley S. Butler.

⁵ "Bynum Address," 506-7; biographical information compiled by Mary Settle Sharpe, February 18, 1904, Thomas Settle Papers (Group II) (Southern Historical Collection, University of North Carolina at Chapel Hill); *Dictionary of North Carolina Biography*, s.v. "Settle, Thomas Jr."; *Dictionary of American Biography*, s.v. "Settle, Thomas" by J. G. de Roulhac Hamilton; and John H. Wheeler, *Reminiscences and Memoirs of North Carolina and Eminent North Carolinians* (Washington, D.C., and Columbus, Ohio, 1883-1884), 389-90. In recommending that one of Stephen A. Douglas's sons study with Richmond M. Pearson, Settle noted: "Judge Pearson is our most distinguished Judge, and I doubt not that Robert can study the text books with him to as much advantage as he can any where in the United States. This is saying a good deal, but I believe it true." Thomas Settle to Gen. Ro. Williams, February 12, 1868. Robert Martin Douglas Letters. Private Collections, North Carolina State Archives (Division of Archives and History, Raleigh).

⁶ John L. Chancy Jr., ed., North Carolina Government, 1585-1979: *A Narrative and Statistical History* (Raleigh, 1981), 323, 325, and 326.

⁷ "Bynum Address." 507.

⁸ For an explication of the Settle-Reid-Martin political "dynasty" in Rockingham County, see Lindley S. Butler, ed., *The Papers of David Settle Reid* (1 vol. to date;

Raleigh, 1993-), 1.xxviii-xxix.

⁹ House Resolutions, General Assembly Session Records, November 1854-February 1855, N.C. State Archives: Journal of the House of Commons of North Carolina, 1854-1855, pp. 238 and 288-291.

¹⁰ Manuscript Census Returns, Eighth Census of the United States, 1860, Rockingham County, North Carolina, Slave Schedule, National Archives Microfilm Series M-653, reel 926, (microfilm, N.C. State Archives): and J. F. Graves to Thomas Settle, December 10, 1834, Settle Papers. According to the Population Schedule, Settle owned \$18,000 in real property and \$25,000, in personal property in 1860. His slave force was evenly divided between males and females but was extremely young. Only four slaves exceeded the age of twenty-five. 1860 Rockingham County, N.C., Free Inhabitants Schedule, NAMS—653, reel 912.

¹¹ Thomas Settle to Col. Martin, July 2, 1856, Settle Papers.

¹² Robert P. Dick to Thomas Settle July 11, 1860, and J. P. Dillard to Thomas Settle, August 31, 1860, Settle Papers, Douglas won only 3 percent of the vote in North Carolina, Lancaster, "Scalawags of North Carolina," 23 and 25.

¹³ "Bynum Address." 510 (quotation); Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill and London, 1989), 147 and 152; and Samuel A. Ashe, *History of North Carolina*, Vol. II: *From 1783 to 1925* (Raleigh, 1925), 589.

¹⁴ Alfred M. Scales to Thomas Settle, n.d. [May 1861, Settle Papers.

¹⁵ Louis H. Manarin and Weymouth T. Jordan Jr., eds., *North Carolina Troops, 1861-1865: A Roster* (13 vols to date: Raleigh. 1966- ..) V. 275 and 365. In 1868, when Settle ran for a seat on the state supreme court, Governor Jonathan Worth, a former Whig and arch Conservative made an unflattering assessment of Settle's military career. Settle, Worth stated. "entered (the) Confederate army as a Captain, and resigned when the contest waxed hot." Jonathan Worth to James K. Doolittle. May 11, 1868. in J. G. de Roulhac Hamilton, ed., *The Correspondence of Jonathan Worth* (2 vols.; Raleigh, 1909), 11, 1198.

¹⁶ Note from Settle, n.d. (April 1862). Settle Papers.

¹⁷ William W. Holden to Thomas Settle, December 22, 1863, Settle Papers.

¹⁸ Zebulon B. Vance to E. J. Hale, December 30, 1861, Edward Jones Hale Paper, Private Collections, N. C. State Archives.

¹⁹ M. Masten and others to Thomas Settle, January 7, 1864, and Settle to Masten and others January 14, 1864, Settle Papers.

²⁰ Mare W. Kruman, *Parties and Politics In North Carolina, 1836-1865* (Baton Rouge and London, 1983), 259-65 (quotation on p. 264): and Robin E. Baker. "Clan Conflict and Political Upheaval: The Transformation of North Carolina Politics during the Civil War." *North Carolina Historical Review*, LXIX (April 1992), 175-78.

²¹ William T. Auman. "Neighbor against Neighbor: The Inner Civil War in the Randolph County Area of Confederate North Carolina." *North Carolina Historical Review*, LI (January 1984), 59-92; and Paul D. Escort and Jeffrey J. Crow. "The Social Order and Violent Disorder: An Analysis of North Carolina in the Revolution and the

Civil War." *Journal of Southern History*, LII (August 1986), 373-402.

²² Thomas Settle to Zebulon B. Vance. September 21, 1864, in Gordon B. McKinney and Richard M. McMurray, eds., *The Papers of Zebulon Vance* (microfilm edition of 39 reels; Frederick, Md., 1987), reel 13; and Thomas Settle to Zebulon B. Vance, October 4, 1864. Thomas Settle Jr. Letters, Private Collections (N.C. State Archives).

²³ Settle to Vance, October 4, 1864, Settle Letters.

²⁴ For a superb analysis of the 1865 convention see Lancaster, "Scalawags of North Carolina." 91-108.

²⁵ *Journal of the Convention of the State of North Carolina at Its Session of 1865-1866...* pp. 5-6.

²⁶ Sidney Andrews, *The South since the War ...* (Boston, 1866), 138-39 (second quotation on p. 139), 153-55 (first, third, fourth, and sixth quotations on p. 154), 157-58. 189 (fifth quotation); and *Journal of the Convention, 1865-1866*, pp. 17 and 27-28. Though later in Reconstruction Settle resolutely defended African Americans' right to achieve their destiny in the South, he eventually returned to colonization as a possible solution to the region's race problems. Near the end of his life Settle endorsed an emigration plan to remove African Americans from the South and relocate them to new jobs and communities in the North and West. Daniel McDonald Lindsey, a North Carolina Republican, offered the plan in a pamphlet titled *The Wrongs of the Negro: The Remedy*; issued by the National League of Boston, Massachusetts, in 1888. Also endorsing the scheme were Patrick Douglass and Robert Smalls. See John David Smith, ed., *The American Colonization Society and Emigration: Solutions to "The Negro Problem," Part II* (New York and London, 1993). 239-52. This is volume ten of the eleven-volume anthology entitled *Anti-Black Thought, 1863-1925*, edited by Professor Smith, whom the author wishes to thank for bringing the Lindsey pamphlet to his attention.

²⁷ *Journal of the Convention, 1865-1866*, 26 (quotation), 31, 38-39, 84-85, 89, 92; Andrews, *The South since the War*, 169-73.

²⁸ Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill and London, 1985), 96-97 (quotations on p. 96).

²⁹ Clipping of *Fayetteville News*, June 19, 1866, in Settle Papers.

³⁰ J. G. Roulhac Hamilton, *Reconstruction In North Carolina* (Raleigh, 1906), 120-21 (quotations on p. 120), Samuel F. Phillips, a delegate to the convention, wrote that Settle had been "drinking ... for several days" when the convention addressed the issue of repudiating Confederate war debts Phillips wrote further that Settle had possibly been "set up by others as the champion" of debt repudiation. Phillips to William A. Graham, October 10, 1865, in J. G. de Roulhac Hamilton and Max R. Williams, eds., *The Papers of William Alexander Graham* (8 vols.; Raleigh. 1957-1992), VI, 385 (quotations), 386, 388. Rumors of drinking plagued Settle throughout his career. See, for example, the Diary of James Clarence Harper, December 16, 1865 (Southern Historical Collection, University of North Carolina at Chapel Hill); and Robert P. Dick to Thomas Settle, September 7, 1876, and Edward P. Brooks to Settle, March 9, 1877, Settle Papers.

³¹ *Journal of the Senate of North Carolina. 1865-1866*. pp. 6-7, 40, 51, 202, 217; "Bynum Address," 521 (first quotation); and Lancaster. "Scalawags of North Carolina,"

131 (second quotation). The General Assembly once more elected Settle solicitor of the fourth judicial circuit.

³² John Pool to Thomas Settle, February 4, 1866, Settle Papers.

³³ Raleigh *North Carolina Weekly Standard*, April 3, 1867. One historian has called the Republican gathering "the first racially mixed convention of any size in the history of the South ..." Horace W. Raper, *William W. Holden: North Carolina's Political Enigma* (Chapel Hill and London, 1985). 92-93.

³⁴ Raleigh *North Carolina Weekly Standard*, April 3, 1867.

³⁵ Lancaster, "Scalawags of North Carolina:" 206-10; Raleigh *North Carolina Weekly Standard*, April 3, 1867.

³⁶ John B. Odom to Thomas Settle, May 18, 1867, Settle Papers.

³⁷ It would be difficult to overestimate the singular nature of Settle's "Spring Garden" speech. Carl Degler quoted from it extensively in *The Other South* and even borrowed a title for one of his chapters---"Taking a New Start in the World"---from it. See, in particular, *The Other South*, pages 204, 208, 218, 226, 227, 237, and 242-43,

³⁸ Spring Garden speech [1867], Settle Papers; and Raleigh *North Carolina Weekly Standard*, July 11, 1867.

³⁹ Raleigh *North Carolina Weekly Standard*, July 31, 1867.

⁴⁰ Foner, *Reconstruction*, 298-99; and Foster, *Ghosts of the Confederacy*, 80-85. Michael Perman points out that prior to the early 1870s, there was considerable agreement between Republicans and "New Departure" Democrats about modernizing the South with a diversified economy. Perman, *The Road to Redemption*, 67-70.

⁴¹ Raleigh *North Carolina Weekly Standard*, July 31, 1867.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ Olsen, "North Carolina." 171 (first quotation) and 174; and Olsen. "Reconsidering the Scalawags," 314 (quotation from newspaper).

⁴⁶ William S. Powell, *North Carolina through Four Centuries* (Chapel Hill and London, 1989), 392-95. Slightly more than 196,000 voters registered for the 1868 elections. Estimates of the number of white Republican voters during Reconstruction range between twenty thousand and thirty thousand, making up as much as one-fourth of the potential white vote. In the Piedmont, while Republican strength frequently exceeded 40 percent among the whites who actually voted. Lancaster. "Scalawags of North Carolina:" 273-74; and Paul D. Escott. "White Republicanism and Ku Klux Klan Terror: The North Carolina Piedmont during Reconstruction:" in Jeffrey J. Crow, Paul D. Escott and Charles L. Flynn Jr., eds., *Race, Class, and Politics in Southern History: Essays in Honor of Robert F. Durden* (Baton Rouge, 1989), 10.

⁴⁷ Thomas Settle to Richmond M. Pearson, August 8, 1868, Settle Papers.

⁴⁸ Thomas Settle to Albion W. Tourgee, August 8, 1868, Albion W. Tourgee Papers (Chautauqua County Historical Society, Westfield N.Y.) (microfilm, Southern Historical Collection).

⁴⁹ Escott, "White Republicanism and Ku Klux Klan Terror." 3-34; Otto H. Olsen, "The

Ku Klux Klan: A Study in Reconstruction Politics and Propaganda: *North Carolina Historical Review*, XXXIX (July 1962), 340-62; and Allen W. Trelease; *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (New York, Evanston, and London, 1971).

⁵⁰ A List of Murders and other Crime committed in Alamance County by Disguised Men:” n.d. (1870), William W. Holden Papers (Special Collections, William R. Perkins Library, Duke University, Durham); Thomas Settle to A. W. Tourgee, May 12, 1869, Tourgee Papers; and Thomas Settle to W. W. Holden, July 29, 1869, Holden Papers”. See also A. W. Tourgee to Thomas Settle, June 24, 1869, and John M. Cloud to Settle, July 19, 1869, Settle Papers.

⁵¹ “David S. Reid to the People of North Carolina,” July 26, 1870, *Raleigh Sentinel*, July 29, 1870; Joseph W. Holden to Robert M. Douglas, August 13, 1869, Douglas Letters.

⁵² Third Annual Message of W. W. Holden, Governor of North Carolina, November, 1870, (Raleigh. 1870).

⁵³ Thomas Settle to A. W. Tourgee, September 7, 1870), Tourgee Papers.

⁵⁴ Senate Reports, 42 Cong., 1 Sess., No. 1 (Serial 1468), 85-86.

⁵⁵ *Ibid.*, 86-91.

⁵⁶ Journal of the Senate of North Carolina, 1872-1873. pp. 190, 202, 204, 211, 220, 225-26, 228-29, 234-35, 244, 498-99, and 534; *Public and Private Laws of North Carolina, 1872-1873*, Chap. 181, pp. 298-300 (quotations).

⁵⁷ W. S. Ball to Thomas Settle, February 24, 25, 1873, Settle Papers; Greensboro *New North State*, February 20, 1873.

⁵⁸ *Public and Private Laws of North Carolina, 1874-1875*, Chap. 20, pp. 17-18; and Olsen. “Ku Klux Klan,” 361-62. Not all Klansmen went unpunished. Under the Ku Klux Klan Act of 1871, federal prosecutors indicted hundreds of Klansmen in North Carolina and jailed many, including Randolph Shotwell, head of the Rutherford County Klan. Foner, *Reconstruction*, 454-59; and J. G. de Roulhac Hamilton, ed., *The Papers of Randolph Abbott Shotwell* (3 vols.; Raleigh, 1929-1936).

⁵⁹ Olsen, “Ku Klux Klan,” 346.

⁶⁰ N.C. 389 (1869), at 399-400 (quotations at 389); and J. G. de Roulhac Hamilton. *Reconstruction in North Carolina*. (New York, 1914), 390, 392, and 394.

⁶¹ Otto H. Olsen, *Carpetbaggers Crusade: The Life of Albion Winegar Tourgee*, (Baltimore: 1965), 73.

⁶² Ann Willams v. Silas M. Green, 68 N.C. 183 (1873); *State v. Joseph Baker*, 69 N.C. 147 (1873) at 149 (second and third quotations) and ISO (first quotations): *Gerald Lee and others v. Blackman Lee and others*, 71 N.C. 139 (1874); *William A. Bradsher v. J. L. Brooks*, 71 N.C. 322 (1874); and *Chaney Caldwell and others v. William J. Watson and others*, 74 N.C. 296 (1876).

⁶³ *State, ex. rel, J. W. Cummings v. John A. Mebane*, 63 N.C. 315 (1869) at 317.

⁶⁴ Parker Rand v. State of North Carolina. 63 N.C. 194 (1871) at 196.

⁶⁵ John F Logan v. J. C. Plummer, 70 N.C. 388 (1874) at 392 and 393, For other Settle decisions on this matter, see *State on the relation of W. P. M. Wells v. F. Sluder and M.*

M. Weaver, admr. and others, 72 N.C. Reports 435 (1875); and *John R. Mercer v. James Wiggins, admr.* 74 N.C. Reports 48 (1876). In compliance with congressional stipulations for the state's readmission to the Union, section 6 of the North Carolina constitution (1868) prohibited the payment of any debts contracted in aid of rebellion or resulting from the loss or emancipation of a slave.

⁶⁶ *R. D. Bryan v. John Walker and others*, 64 N.C. 141 (1870).

⁶⁷ *Lucretia Peebles v. The North Carolina Railroad Co.*, 63 N.C. 238 (1869); *William H. Brothers and others v. The Commissioners of Currituck County*, 70 N.C. 726 (1874); *William B. Bell v. Hasty Chadwick and others*, 71 N.C. 329 (1874); and *C. W. Skinner v. William Hettrick and John Hettrick*, 73 N.C. 53 (1875).

⁶⁸ *John R. Haskins v. F. A. Royster*, 70 N.C. 601 (1874), at 621 and 618, See also Olsen, *Carpetbagger's Crusade*, 181.

⁶⁹ *State of North Carolina v. The Richmond and Danville Railroad Co., A. S. Buford and others*, 72 N.C. 634 (1875). For an authoritative account of the NCRR's early history, see Allen W. Trelease, *The North Carolina Railroad, 1849-1871, and the Modernization of North Carolina* (Chapel Hill and London, 1991). In later suits Settle continued to rule in favor of the NCRR and R&D to protect the roads from unauthorized taxation and from the recovery of the assessed value of property by a disgruntled landowner after the statute of limitations had run out. *Richmond and Danville Railroad Company v. The Board of Commissioners of Orange County*, 74 N.C. 506 (1876); *Y. D. Vison v. The North Carolina Railroad Company*, 74 N.C. 310 (1876); and *The Richmond and Danville R. R. Co., N. C. Division. v. Curds H. Brogden, and others*, 74 N.C. 707 (1876).

⁷⁰ Trelease, *North Carolina Railroad*, 320; and Tod R. Caldwell to Thomas Settle, March 6, 1874, Settle Papers.

⁷¹ Richmond M. Pearson to Thomas Settle, March 30, 1873, and E. O. Reade to Settle, April 12, 1875 (second quotation), Settle Papers; and Greensboro *New North State*, April 2, 1875 (first and last quotations).

⁷² Thomas Settle to Robert M. Douglas, August 19, 1871, and September 9, 1871, Douglas Letters.

⁷³ Frank Wheeler to Thomas Settle, January 30, 1872, R. N. Lassiter to Settle, February 27, 1872, and Robert P. Dick to Settle, March 2, 1872, Settle Papers.

⁷⁴ Greensboro, *New North State*, June 11, 1872 (quotations); Hamilton, *Reconstruction in North Carolina* (1914), 583 and 586; and Douglas C. Dailey, "The Elections of 1872 in North Carolina," *North Carolina Historical Review*, XL (July 1963), 342 and 347, Settle lost the gubernatorial nomination with twenty-eight votes to Caldwell's fifty-eight.

⁷⁵ John T. Cramer to Thomas Settle, May 1, 1872, Settle Papers.

⁷⁶ Greensboro, *New North State*, May 16, 1872; and Blight, "Frederick Douglass and the Struggle for the Memory or the Civil War," 1158, 1159, 1161 (quoted phrases), 1163, 1173-76, Uncannily, Settle anticipated some of the very language Douglass used in 1883 in refusing "to let bygones be bygones; to let the dead past bury its dead" (p. 1175), On memory as an act of construction see David Thelon, "Memory and American History," *Journal of American History*, LXXV (March 1989), 1117-29.

⁷⁷ Greensboro, *New North State*, May 16, 1872.

⁷⁸ Greensboro, *New North State*, May 30, June 27 (first quotation), July 4, and August 8 (second quotation), 1872.

⁷⁹ W. W. Holden to R. M. Douglas, January 7, 1873, William A. Smith to R. M. Douglas, January 20, 1873, and R. P. Dick to R. M. Douglas, February 6, 1873, Douglas Letters.

⁸⁰ Thomas Settle to Governor Curtis H. Brogden, July 13, 1876, Settle Papers; and Thomas Settle to Z. B. Vance, July 14, 1876, in McKinney and McMurray. eds., *Papers of Zebulon Vance*, reel 39.

⁸¹ Dowd, *Life of Zebulon B. Vance*, 146 (first quotation): "Bynum Address," 529-30; and R. D. W. Connor, *North Carolina: Rebuilding an Ancient Commonwealth, 1584-1925* (2 vols., Chicago and New York, 1929), II, 350-51 (second quotation).

⁸² *Wilmington Post*, August 4, 1876, and Hamilton, *Reconstruction in North Carolina* (1914), 636 (Register quotation).

⁸³ Babb, "Battle of the Giants:" 40.

⁸⁴ Greensboro, *New North State*, August 25, 1876; and Raleigh *Sentinel*, August 26, 1876 (last quotation), Vance's forceful efforts to deal with desertion are evident in Z. B. Vance to James A. Seddon, January 5, 1863; "A Proclamation," May 11, 1863; and Z. B. Vance to Jefferson Davis, May 13, 1863, in Johnston and Mobley, eds., *Papers of Zebulon Baird Vance*, II, 5, 146-47, 149-51. In his proclamation Vance urged citizens to shun "cowardly" deserters whom he characterized as "*Infamous*."

⁸⁵ *Winston Union Republican*, July 20, 1876 (quotation); and Babb, "Battle of the Giants," 32-33.

⁸⁶ *Sentinel*, July 26 (first quotation), August 2 (fourth quotation), 3 (fifth quotation), 6 (third quotation) 13, 26, September 12 (doggerel), 1876: *New North State*, September 8 (Thirteenth Regiment), 15, October 20, 1876, General E. R. S. Canby was military commander of the Second Military District, composed of the two Carolinas. For a discussion of the issues of sectional reconciliation and comradeship in battle, see Foster, *Ghosts of the Confederacy*, 88-103.

⁸⁷ Greensboro *New North State*, September 15, 1876 (Vance's comments on constitutions), Raleigh *Sentinel*, August 9 (Vance's questions), 26 (1875 Civil Rights Act), October 6, 18, 1876.

⁸⁸ Greensboro *New North State*, August 25, 1876 (quotations); Babb, "Battle of the Giants," 46-50; and Escott, "Many Excellent People,," 167, Settle played a conspicuous, if ironic, role in the drama surrounding the Constitutional Convention of 1875. Election officials in Robeson County threw out the returns from four precincts, thereby sending two Democratic, instead of two Republican, delegates to the convention. Those two delegates tilted the convention's majority in favor of the Democrats, who thereupon drafted and passed a series of amendments. In the political uproar that followed the Robeson returns, the Republican secretary of state succumbed to cowardice, refused to swear in the delegates, and urged Settle, then a member of the state supreme court, to do so. Settle presided at the opening session of the convention end, with the endorsement of the court, swore in all of the delegates, even those who had been chosen in disputed elections. In upholding the election law, he noted that "this gives great power to dishonest

election officers, but we know no remedy for this, *but by the choice of honestmen.*" Greensboro *New North State*, September 3, 10 (preceding quotation from Settle), October 8, 1875, W. P. Bynum to Thomas Settle, September 3, 1875, Settle Papers; Hamilton. Reconstruction in North Carolina (1914), 314-35; and Perman, Road to Redemption, 197-99.

⁸⁹ *Wilmington Post*, October 20 (second quotation), November 1 (first, third, and all remaining quotations), 1876.

⁹⁰ Maurice Bauman to Thomas Settle, July 14, 1876, and John N. Smyth to Settle, November 12, 1876, Settle Papers.

⁹¹ *Raleigh Sentinel*, August 4 (last two quoted phrases), 6 (two quoted words), 30 (first quotation), 11, September 1 (Settle's supporters) and October 17 (Vance), 1876; and Escott, *Many Excellent People*, (67 and 169) (second quotation and quotation from broadside). See cartoon of whites' being auctioned to blacks in McKinney and McMurray, eds., *Papers of Zebulon Vance*, reel 4.

⁹² Greensboro *New North State*, August 25, 1876: *Winston Union-Republican*, August 17, 1876 (second and third quotations); and *Raleigh Carolina Era*, September 7, 1876 (line quotation).

⁹³ *Raleigh Weekly Sentinel*, September 19, 26, October 17 (second quotation), 1876; *Raleigh Sentinel*, October 8, 1876; Greensboro *New North State*, August 25, 1876 (first quotation), and Dowd, Life of Zebulon Vance, 146-53.

⁹⁴ Robert P. Dick to Thomas Settle, September 7, 1876, Settle Papers.

⁹⁵ Kemp P. Battle, *History of the University of North Carolina* (2 vols., 1907-1912: rpt., Spartanburg, S.C., 1974), II, 103-4.

⁹⁶ *Raleigh Sentinel*, October 24, 1876; and Thomas Settle to Z. B. Vance, December 30, 1876, in McKinney and McMurray, eds., *Papers of Zebulon Vance*, reel 4.

⁹⁷ Richardson to Thomas Settle, December 4, 1876, and James Heaton to Settle, November 21, 1876 (quotation), Settle Paper.

⁹⁸ Babb, "Baltic of the Giants," 68; Thomas J. Jarvis to Z. B. Vance, November 16, 1876, in Wilfred Buck Yearn, ed., *The Papers of Thomas Jordan Jarvis* (1 vol, to date, Raleigh, 1969--), I, 21.

⁹⁹ *Raleigh Sentinel*, November 9, 1876; and W. A. Smith to Thomas Settle, November 13, 1876 (third quotation), Daniel McDonald Lindsey to Settle, November 15, 1876, O. H. Blocker to Settle, November 15 (fourth quotation) and December 1, 1876, and James Heaton to Settle, November 21, 1876 (last quotation), all letters in Settle Papers.

¹⁰⁰ Olson, "North Carolina," 192; and *Raleigh Sentinel*, August 22, 1876.

¹⁰¹ On Republican racism, see Olson, "North Carolina," 173; and Lancaster, "North Carolina Scalawags." 212-219. That African Americans regarded Settle as an ally is evident in the letters cited in footnote 90 as well as in William Mclaurin to Settle, March 13, 1873. J. H. Harris to Settle, March 15, 1873, and William H. Thurber to Settle, June 23, 1873, Settle Papers.

¹⁰² Paul D. Escott, "Unwilling Hercules; North Carolina in the Confederacy," in Lindley S. Butler and Alan D. Watson, eds., *The North Carolina Experience: An Interpretive and Documentary History* (Chapel Hill and London, 1984), 263-83; and Powell, North

Carolina through Four Centuries, 356.

¹⁰³ Babb, "Battle of the Giants," 61.

¹⁰⁴ Edward P. Brooks to Thomas Settle, March 9, 1877, and October 6, 1879, and interview with Stephen A. Douglas Jr. in Washington *National Republican*, October 27, 1879, Letters and newspaper clipping in Settle Papers. Another North Carolina scalawag, Daniel L Russell Jr., faced the same prejudice against southerners when he sought appointment to the federal bench. See Jeffrey J. Crow and Robert F. Durden, *Maverick Republican in the Old North State: A Political Biography of Daniel L Russell* (Baton Rouge and London, 1977), 42.

¹⁰⁵ "Bynum Address," 530.

¹⁰⁶ Olsen, "North Carolina," 173-74 and 196 (quotation).

¹⁰⁷ Perman, *Road to Redemption*, 103.

¹⁰⁸ In later elections Republicans tried to return to the issues of 1876. Daniel Russell's election to the governorship in 1896 rekindled memories of the political divisions fanned by the Civil War. One political supporter advised the newly elected governor to get "close to the plain people." He compared the "work of rehabilitating this state" to conditions "in 1867." Russell himself—in an ironic appropriation of Vance's 1877 inaugural address—began his inaugural speech, "There is a retribution in history." Throughout his career Russell frequently returned to the Civil War and its outcome as a political touchstone. Edward L. Ayers, *The Promise of the New South: Life after Reconstruction* (New York and Oxford, 1992), 299 (first three quotations); and Crow and Durden, *Maverick Republican*, 81 (last quotation) and 145-46.

A Biographical Sketch of Thomas Settle, Jr. and His Family

by
Bob W. Carter

In the nineteenth century North Carolina historian John H. Wheeler wrote of the Settles that, "it is seldom that a family less numerous can show more distinguished members. In this (family) there are . . . two Senators in the U.S. Congress, Representatives, three Judges, accomplished Governor and a formidable aspirant for the Presidency, besides others distinguished for the ability, integrity and virtues".¹ And in the remainder of the century descendants of the Settles continued their accomplishments in public and private life. Judge Thomas Settle, Jr. (1831-1888) was a person blessed with a brilliant mind, charming personality and other abilities which made him a natural politician. If he had chosen a different political route one wonders to what heights he might have risen. Clearly in many ways his ideas were far advanced of the times in which he lived. When the history of his era was first written it was not by men sympathetic to the Republican party for its leaders. Thus Thomas Settle became a forgotten man. More recent history have re-examined the period of history but still little has been written about Settle. Today little remains to remind us of Thomas Settle's life. Most of the landmarks of his time are gone and only his home at Mulberry Island and a state historic marker nearby call attention to the man and his remarkable career in the history of North Carolina.

SETTLE FAMILY BACKGROUND

The founder of the Settle family in Rockingham County was Josiah Settle. He had previously lived in Loudoun County, Virginia where he had acquired a 285 acre farm in 1764 on the waters of Pantherskin Run of Goose Creek.² Some years earlier he had married Elizabeth Allen, a daughter of Joseph Allen who also owned land in Loudoun County.³ Land titles of the property owned by the Settles and Allens were in dispute and for this reason Joseph sold his land and moved to present-day Rockingham County where he died in 1770. In 1773 Josiah Settle also sold his property in Loudoun County and moved to the same area where his father-in-law had settled several years earlier.⁴ In 1779 and 1782 Josiah entered claims for two tracts of vacant state land on Pruitt's Fork of Lower Hogans Creek. These two tracts totaling 400 acres were granted to Settle in 1780 and 1787.⁵ It is assumed that the family settled on the property as soon as Josiah entered the claim for the land. The area where the Settle lands lay had become part of Guilford County in 1771 and in 1785 the property would fall into the new County of Rockingham.

Little information is known about Josiah Settle except that he died sometime between November 1799 and February 1800. His estate consisted of land and

eight slaves. His will mentions his wife Nancy; three sons, David, Benjamin and John and seven daughters; Leah Settle (Martin); Polly Settle (Bateman); Betsy Settle (Mullins); Rachel Settle (Wardlow); Jemimah Settle (Wardlow); Sarah Settle (Matlock) and Nancy Settle (Brent).⁶ The first eight children were by Josiah's wife Elizabeth Allen who died sometime prior to 1792. By the year 1793 Josiah married a woman named Nancy and the last two children were born to this marriage.⁷

Josiah and Elizabeth's oldest son was David Settle who was born in Virginia on 25 October 1758.⁸ He came south with his parents to North Carolina; he also entered claims for vacant state land on Pruitt's Fork and Lower Hogan's Creek. These tracts totaling 536 acres were granted to him in 1783.⁹ He continued to acquire land in the area and by 1815 he owned a plantation of 1,200 acres. In 1800 he was listed as the owner of seven slaves. In 1830 this number had grown to fourteen.¹⁰ As a young man David became interested in local politics and in 1786 he was appointed as a justice for Rockingham County.¹¹ He was to hold this position for many years.

David married Rhoda Mullins sometime around 1786. She was a daughter of Elder Thomas Mullins and his wife Rhoda Bethel Mullins. For many years Elder Mullins was a Baptist minister and he established Lick Fork Baptist Church sometime prior to 1786. Both David and Rhoda became members of Lick Fork Church and it was through this connection that several generations of the Settle family inherited their Baptist faith.¹²

David died on 3 April 1833 and was buried in the Settle Family Cemetery. He left a sizable estate consisting of land and slaves to his wife and children. Their children were: Thomas, Sr.; Josiah, II; Benjamin; Elizabeth Settle Reid (mother of Governor David S. Reid); Mary Settle Martin (mother of Martha Martin who married Senator Stephen A. Douglas of Illinois; Lucinda Settle Ellington and Matilda Settle Patrick. In June 1852 Rhoda Mullins Settle died and was buried beside her husband in the Settle Cemetery.¹³

JUDGE THOMAS SETTLE, SR.

Thomas Settle, Sr. was born 9 March 1789 in Rockingham County, the oldest child of David and Rhoda Mullins Settle. Tradition says that he attended school taught by private tutors.¹⁴ As a young man he studied law and in November, 1809 he received a license to practice before the Rockingham County Court. Within a few years he was appointed as the Clerk and Master of the Rockingham Court of Equity. He did not hold this position long before resigning in September 1814.¹⁵ At the age of twenty-nine he was elected to the North Carolina House of Commons for the session of 1816. The following year he was elected to the United States House of Representatives and served there from 1817-1821. He declined reelection and returned to Rockingham County to practice law.¹⁶ From 1824 to 1826 he served as postmaster of Settle's Store Post

Office on his father's plantation.¹⁷ Thomas was elected to the State House of Commons for the years 1826-1827 and served as Speaker of the House in 1827.¹⁸ In 1832 he was appointed a Superior Court Judge and served ably in that position until 1854 when he retired because of declining health.¹⁹

Over the years Judge Thomas Settle, Sr. acquired property at or near his father's home place until his plantation contained 1,236 acres. One of the adjoining tracts that he acquired was the former Marr-Bethel gristmill property on Pruitt's Fork Creek. He purchased two large plantations along Dan River which he gave to his sons Thomas and David. He also purchased a Dan River Plantation for his son-in-law Gov. David Settle Reid.²⁰

Sometime in the 1820s Judge Settle erected a large two-story frame house at or near his father's homeplace. The house consisted of eleven rooms and nearby stood a brick kitchen-dining room combination and a brick office building. The office was later used as a school building for the Settle children.²¹

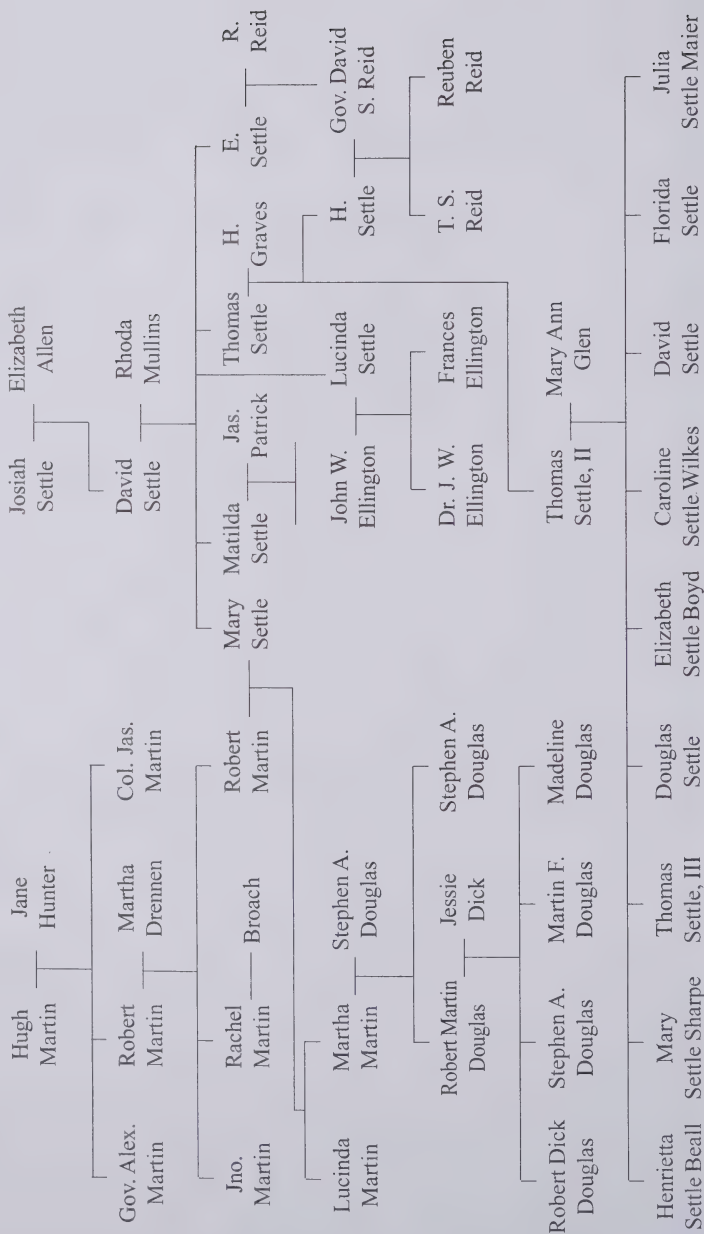
In September 1820 Thomas Settle, Sr. was married to Henrietta W. Graves. She was a daughter of General Azariah Graves (1768-1850), a successful planter in Caswell County. Henrietta's brother was Calvin Graves, whose deciding vote in the North Carolina General Assembly established the North Carolina Railroad, and Henrietta's sister Frances married Thomas' brother Josiah Settle, II.²²

The Settles and the Graveses attended Lick Fork Baptist Church in eastern Rockingham County. When the Church divided over doctrinal differences in 1840 both families left and were instrumental in forming Trinity Missionary Baptist Church in Caswell County. Within a few years the Settles became interested in establishing a Missionary Baptist Church at the Settle Family Cemetery in Rockingham County.²³ By 1843 occasional religious services were being held at the Cemetery and on 22 July 1843 Judge Settle and his brother Benjamin deeded a two acres tract adjoining the Cemetery for a church lot.²⁴ It was here on 15 August 1844 that Hogan's Creek Missionary Baptist Church was formed. The congregation continued to meet at the site until 1869 when they moved to Reidsville and became the First Baptist Church of Reidsville.²⁵ Judge Settle was active in the Beulah Missionary Baptist Association serving as moderator of the group and also as a trustee of Wake Forest College.²⁶

A person who remembered Judge Settle described him as being of medium size and having black eyes and a prominent nose.²⁷ These characteristics seem to have passed down to many of his descendants through the years. In the mid 1850s his health began to decline and in March 1856 he wrote his last will and testament. In May 1857 he traveled to a northern city for treatment. However the treatment was a no avail and he died in August 1857. He was interred among his relatives in the Settle Family Cemetery.²⁸

Thomas Settle, Sr. left a sizable estate consisting of a number of tracts of land, slaves and bank stock. By his will his widow Henrietta received the homeplace containing 1,200 acres, a number of slaves and \$3,000 worth of North Carolina Bank Stock. His daughters Fannie Settle Covington and Caroline Settle also

A Partial Family Tree of the Martins, Settles and Douglasses

*By Bob Carter, 1994*

corrected with additions, 2003

received land, slaves and bank stock. To his son Thomas, Jr. he left Mulberry Island Plantation on Dan River and slaves. By the terms of the will his son David A. Settle received a Dan River Plantation and slaves. To his daughter Henrietta Settle Reid and husband David S. Reid, Judge Settle left a 699 acre tract of land across the Dan River from Mulberry Island. Settle's widow Henrietta died on 14 January 1886. She was buried beside her husband in the Settle Cemetery.²⁹

JUDGE THOMAS SETTLE, JR.

Thomas Settle, Jr. was born 23 January 1831 in Rockingham County at the home of his parents Thomas Settle, Sr. and Henrietta Graves Settle. He received his early education from a private tutor in the brick office building near his father's home.³⁰ At some point in his early education he received instruction from a local teacher Josiah C. Wright.³¹ He was prepared for entrance to the State University at Chapel Hill by Samuel Smith and Rufus H. Smith at Shady Grove Academy in western Rockingham County.³² He then entered the University where he graduated with a Bachelor of Arts degree in the Class of 1850. As a member of the Dialectic Society at Chapel Hill Settle earned a reputation as a skillful debater. Upon graduation he became the private secretary for his brother-in-law David Settle Reid who had been elected governor in 1850.³³ During the years 1852-1853 Settle attended Richmond Hill, the famous law school of Judge Richmond M. Pearson in Yadkin County. In December 1852 Settle received a law license to practice in his home county and twelve months later he was licensed to practice before the State Supreme Court.³⁴

Thomas Settle, Jr., with his natural debating ability and magnetic personality, became a popular figure and in his first attempt at politics he was elected as a Democrat to the State Legislature. He served there until 1859 and as the Speaker of the House his final year. In 1856 he served as a Democratic elector for James Buchanan and the same year was appointed to the Board of Trustees of the University of North Carolina.³⁵ A person who knew Settle well during this period said of him: "He was a tall man with black eyes, splendid personal appearance and handsome carriage".³⁶ He was also a charming conversationalist and never missed an opportunity to advance his career. J. I. Scales, a brother of Settle's sometimes political rival A. M. Scales, said of Settle: "Ambition is his ruling deity and there is imminent danger of its over leaping itself and falling on 'tother side".³⁷ Settle remained popular with the voters and in November 1860 he was elected as solicitor of the Fourth Judicial District which included Rockingham County.³⁸

Settle was a strong Union man and supported his kinsman Democrat Stephen A. Douglas in the presidential race of 1860. Douglas had married Settle's first cousin Martha Martin.³⁹ As war clouds gathered Settle continued to support the Union and on several occasions he debated A. M. Scales on the matter of secession. Following one of the debates in Stokes County in April 1861 Settle

and Judge Howard were nearing Madison when news reached them that Fort Sumter had been fired on and that President Lincoln had called for 75,000 troops to put down the rebellion. As the men entered Madison former governor David S. Reid was speaking to a large crowd from an upper room of a building. True to form Settle sprung up and declared that they had been right about secession and then he jumped to a doorstep and "poured forth a passionate appeal for every man to stand by the South".⁴⁰

Within a matter of days Thomas Settle and Alfred M. Scales were out in the county recruiting men to defend the South. They held a joint rally and barbecue at New Bethel Crossroads and two companies of men were marched to Wentworth where they enlisted on 3 May 1861 in a company named the Rockingham Rangers with Thomas Settle as its captain. The other company named the Rockingham Guards was formed the same day with Alfred M. Scales as its captain. These companies later became Company I and Company H of the 13th Regiment of North Carolina State Troops.⁴¹

Early in the war the 13th Regiment was stationed at Suffolk, Virginia and later saw picket duty along the James River opposite Newport News. On 26 April 1862 the regiment was reorganized and Thomas Settle was reelected as captain of Company I. However Settle did not feel contented in the Confederate Army fighting a war that he did not believe that the South could win. As a matter of conscience he resigned his captain's commission and returned to North Carolina. His successor, Chalmers L. Glenn was killed at the Battle of South Mountain on 14 September 1862.⁴²

Back in Rockingham County Settle was re-elected to his former position as solicitor of the local judicial circuit, a position which he held until 1865.⁴³ After his return to North Carolina in 1862 Settle kept his anti-Confederate views to himself until mid-1864 when he made several speeches critical of the Confederate Government's policies. He was taken to task by several state newspapers and accused of being a member of the Pro-Union group in "Heroes of America", a charge which he denied.⁴⁴ After one of the speeches in Madison he and Governor Zebulon Vance went to Wentworth for another political debate. As the crowd gathered, the pair realized that many in the group wanted Settle's scalp so they decided to cancel the debate. But many in the crowd wanted blood and a large man followed Settle into his office in the Wright Hotel annex and insulted him. Settle struck the man and a number of men started for him and if his brother David Settle had not held them at bay with a pistol Settle probably would have been killed. Then general fighting broke out in the crowd and Settle waded into the melee and again he was saved - this time by thirty-five members of his old army company. Fighting continued around the village with Settle in the thick of it and he was able to defeat the man who had started the trouble in his office. Finally the man fled from Wentworth in a buggy.⁴⁵

With fortunes going from bad to worse for the Confederacy in early 1865 Settle could no longer keep quiet and he wrote "that the only way to have peace was for

the troops to stop fighting and come home". This comment printed in newspapers angered many Confederate officers and other citizens.⁴⁶ But soon the War was over and in the coming years the defeated Confederates, former slaves and the pro-Union men all had to face the trying times of the Reconstruction.

Thomas Settle probably met his future wife Mary Glen while he was attending Judge Pearson's famous law school in Yadkin County. Mary was the beautiful and accomplished daughter of Tyre and Margaret Bynum Glen. The Glens owned the 5,000 acre Glenwood Plantation in Yadkin and often entertained Judge Pearson's law students.⁴⁷ The young couple fell in love and were married at the Glen mansion on 26 May 1859.⁴⁸ The newlyweds settled at the Mulberry Island Plantation on Dan River in Rockingham County. The property had been deeded to Thomas by his father in 1856. The Plantation had formerly been owned by Alfred M. Scales, Sr. and uncle of future governor Alfred M. Scales. The property had been named for a large island in Dan River which would entirely disappear by the twentieth century.⁴⁹ The Settles lived for a brief time in the former Scales residence and in 1860 they started construction on a large two-story frame home of Victorian design. The new house was at a site west of Dyer's Creek one-half mile from the former Scales house. The new structure was completed and occupied in time for the birth of the Settle's second child born on 14 May 1862.⁵⁰ The Plantation consisted of 700 acres in 1849 when Thomas Settle, Sr. had purchased the property. Over the years the Settles purchased adjoining land until the Plantation contained 1,200 acres. The Census of 1860 reveals that the previous year the Plantation produced a total of 1,150 barrels of corn, 500 bushels of wheat and 8,000 pounds of tobacco. In 1860 the value of the Mulberry Island property was \$18,000 and the value of the Settle's personal property including their 29 slaves was \$25,000.⁵¹

Thomas and Mary Glen Settle had a total of twelve children, three of whom, Margaret, Elizabeth I, and Grant died young. The surviving children were: Henrietta, who married Dr. William P. Beall; Mary, married Benjamin Cloud Sharpe; Thomas Settle III, married Eliza Potter, served as a solicitor of the 9th judicial district 1886-1894, Republican Congressman 1893-1897, defeated in Governor's race in 1912, died in Asheville in 1919; Douglas, married Pauline Watts, graduated from West Point, retired as Colonel in military service; Elizabeth II, married Samuel Hill Boyd who was employed by the Federal Government in Washington, D.C.; Caroline, married J. R. Wilkes; David R. Settle, owned farm land in the Hillsdale section of Guilford County, Florida, single, acquired some success as an actress; and Julia, born in Jacksonville, married Dr. E. H. Maier, resided in Philadelphia, Pennsylvania.⁵²

With the end of the Civil War Thomas Settle soon emerged as one of the most important political leaders in the state. As a Union man he was elected a delegate to the North Carolina Constitutional Convention to prepare the state to reenter the Union. In the fall of 1865 he was elected to the State Senate.



Mulberry Island Plantation as constructed by Thomas Settle, Jr. (1860-1861). The Settle family moved from here to Greensboro in 1872.

Courtesy of Historical Collections,
Rockingham Community College



Mulberry Island Plantation as it appeared following its remodeling by the Charles A. Penn family of Reidsville in the early 1930s. Renamed "Hawk's Nest", the main house remains standing today (2002).

Courtesy of Bob W. Carter

With the passage of time he became identified with the Congressional Reconstruction plan and in the spring of 1867 he became one of the founders of the Republican Party in North Carolina. In 1868 with a coalition of white Republican and black voters in charge of state politics Settle was elected an associate justice of the State Supreme Court.⁵³

Meanwhile in Rockingham County the coalition of black voters and white Republicans won the elections of 1868 and Robert Gwynn became the first black person to hold public office in the county.⁵⁴ With the former Confederates left out of political power some of them joined a new force emerging in the south—the Ku Klux Klan. In late 1868 and 1869 the Klan was active in Rockingham and a reign of terror soon developed around the county. A black woman, Mary Lomax, was killed when Klan members fired into her house. A number of black men were beaten and some buildings were burned in an effort to suppress the blacks from exercising their rights under the new State Constitution.⁵⁵ The white Republicans, including Thomas Settle, were the objects of many threats but Settle stood his ground against the Klan. In early 1869 several plans were concocted by Klan members to murder Settle. One plan called for the burning of the Settle home at Mulberry Island and for Klan members to shoot Settle and his family as they emerged from the building. A second plan called for the Klan to kill Settle as he walked in the woods near his home and to bury his body in a newly dug grave nearby. A third plan called for the capture of Settle and to tie him in the middle of the newly constructed Settle's Bridge and then to burn the structure with him inside.⁵⁶ The Klan also had plans to kill David M. Malloy, Settle's overseer, and then hide his body in a deep hole of water in Dan River. The Klan even talked of killing Federal Judge A. W. Tourgee of Greensboro during a session of court at Wentworth. However the Klan leaders never had enough nerve to implement any of these plans.⁵⁷

So many outrages occurred in Rockingham that on 12 May 1869 the Republican County Commissioners and Thomas Settle asked Gov. William W. Holden for a special term of Superior Court to calm the situation. On 27 May 1869 a group of prominent Democratic attorneys in the county wrote the governor stating that a special term of court was not necessary. However the governor granted the special term and sent Judge Tourgee to Wentworth to hold court. On 24 June the Judge wrote Settle that the court session had begun and that things were in a bad situation in Wentworth. The Judge told Settle to inform the governor to be ready to send 25 men to Wentworth at a minutes notice.⁵⁸ This action proved not to be necessary but little headway against Klan members was made during the special session. Some outrages continued into 1870 and finally former governor David S. Reid, a highly respected Democrat, spoke out against the Klan activities. With this speech the Klan violence subsided.⁵⁹

In the county elections of 1870 the Conservatives (Democrats) were returned to power and the Klan activities in Rockingham ceased. In 1872 several Klan

members were indicted for murder but the cases never came to trial and were later dismissed.⁶⁰

The mention of Settle's Bridge, in a previous paragraph, brings to mind one of the heated political topics of those times. In 1863 the covered bridge over Dan River at Madison washed out by a flood leaving only one bridge-the Leaksville Bridge- across the river in the county. Thomas Settle believed that the construction of a bridge in the middle of the county would be of great benefit to its citizens. Under his leadership the Republican state legislature approved bonds to pay for the construction of the covered bridge. Many county citizens opposed the bridge because it was Settle's idea and the project came with a large increase in county taxes to pay for the bridge bonds. However the building project went forward and a successful bridge builder, James Traver, was hired and work on the bridge began in 1869. The structure, completed in 1870, was officially named the Dead Timbers Bridge but it was always referred to as "Settle's Bridge" because Thomas Settle was the originator of the project. The structure served the county well and long before it was demolished by the order of the State Highway Commission in 1951.⁶¹

Thomas Settle continued to serve as an associate justice of the North Carolina Supreme Court until 24 March 1871 when he accepted President Grant's appointment as United States minister to Peru. On his arrival in that country he soon found the damp climate was detrimental to his health. Before long he was confined to bed for long periods because of a severe case of rheumatism. He also missed his wife and family in North Carolina and being involved in state politics. In December 1871 he returned to Washington on a leave of absence. Shortly thereafter he decided not to return to Peru and on 20 February 1872 he resigned from the diplomatic corps and returned to North Carolina where he resumed the practice of law.⁶²

While the Settles occupied Mulberry Island the plantation was famous for its hospitality as an outstanding social center. Many prominent people from around the state gathered there to feast, dance and hold political conferences. While Judge Settle liked to fish perhaps his favorite pastime was to fox hunt. Many of his guests also enjoyed riding horses to follow the fox chase and listen to the baying hounds as they chased vixen over the hills of Rockingham. Locally his hunting partners included Colonel David M. Malloy and Colonel David A. Settle, his younger brother. Despite their political differences- Colonel Settle being a strong Democrat- the brothers never allowed politics to interfere with their personal pleasure in fox hunting. Brother Dave always kept the finest fox hounds and the best horses in the country.⁶³

Judge Settle was often absent from Mulberry Island on court business during the years following the War and much responsibility fell on his wife's shoulders to keep the plantation operating. It was probably in this period that Colonel David M. Malloy assisted the Settles as an overseer at Mulberry Island. Mary

Settle did her part by riding over the property in the mornings and in the afternoons she could be found attending to her household duties.⁶⁴

Both Thomas and Mary were of Baptist heritage but their residence at Mulberry Island was some distance from a Baptist Church- the two closest being at Madison and Providence which was an arm of the Leaksville Baptist Church. There is no evidence that the Settles attended Providence but in a letter their daughter Nettie wrote, "Mama" and a friend attended church in Madison but it is not clear if they visited the Baptist or Presbyterian Church.⁶⁵ It seems more likely that the Settles attended services at the Mountain Chapel Episcopal Mission. Only monthly services were held at the Chapel which was a mission point of the Church of the Epiphany in Leaksville. The Mission was on top of Mayo Mountain (East) and was also known as Callaway's Chapel or Zion Chapel. North Carolina Episcopal Bishop Rev. Thomas Atkinson held services once a year at the Chapel on his circuit around the State. Records of the Church of the Epiphany show that on 7 September 1871 the Bishop baptized five children of Thomas and Mary at Mulberry Island. The church records show no other references to the Settle Family.⁶⁶

On 20 June 1872 Governor Tod R. Caldwell appointed Thomas Settle to fill a vacant seat on the North Carolina Supreme Court. Later the same year Judge Settle decided to move his family from Mulberry Island to the City of Greensboro. This move was perhaps a greater convenience since Greensboro had rail connections with Raleigh giving easy access to the Capital City for the Supreme Court sessions. Upon arrival in Greensboro in October 1872 the family moved into a rental house on South Street. On 26 May 1873 the Settles purchased land at the intersection of Asheboro and Lee Streets and in the summer of 1873 they let a contract for the construction of their new home. The house, completed early in 1874, was described as "a very comfortable dwelling with a large porch in front, somewhat after the old style". The Settles also purchased adjoining lots and later built homes for several of their daughters.⁶⁷

In 1872 Thomas Settle presided over the National Republican Convention. The same year he ran for a seat in the United States House against Congressman James M. Leach. Settle lost the election by a small margin. On 13 July 1876 Settle resigned from the State Supreme Court to run for governor against Democrat Zebulon B. Vance. During the gubernatorial race the two candidates often traveled around the state together holding a series of joint debates. In many debates Settle was heckled and Vance was cheered but Settle stood his ground and pushed on with his campaign.⁶⁸ One of the joint debates was held in Wentworth on 17 October 1876. An estimated three thousand men and a few women attended the debate at the old academy grove west of the courthouse. Due to confusion about the place of the debate the program did not start until 4:00 p.m. Vance spoke first and Settle replied with over an hour rebuttal. When darkness began to fall on Wentworth two lanterns were placed on the stand. Because Settle was interrupted several times and the lateness of the hour Vance



Mary Glen Settle (1840-1895),
wife of Thomas Settle, Jr.

Courtesy of Historical Collections,
Rockingham Community College



The Greensboro home of Thomas Settle, Jr. constructed 1873-1874. The house, which stood at the corner of Lee and Asheboro streets, was demolished in 1952.

Courtesy of Historical Collections,
Rockingham Community College

did not make his usual reply. Since the majority of voters in Rockingham were Democrats the debate probably changed no one's mind about whom they would vote for in the election.⁶⁹

Vance was skilled at jokes and anecdotes, a trait which Settle lacked. While Settle may have been the better debater he had little chance of winning the governor's race because of the majority of Democratic voters in the state. When the election was over and the votes were counted Vance received 118,000 votes to the Settle's 104,000. This "Battle of the Giants" was long remembered as one of the most memorable campaigns which ever occurred in the State of North Carolina. The two men remained friends until Settle's death. With Settle's defeat Reconstruction came to an end in North Carolina.⁷⁰

For a couple of years after Settle moved his family to Greensboro he retained his property in Rockingham County. Then on 11 May 1874 he sold a 155 acre tract of the Mulberry Island land to his friend Robert Gwynn. By the following year he had decided to sell all of the plantation and in September 1875 a newspaper reported that he had sold the Mulberry Island to Gen. Stephen A. Douglas, Jr. for the sum of \$19,000. The sale, if more than rumor, was never completed for there is no record that the transaction took place.⁷¹ On 17 July 1876 Settle gave a mortgage deed on the property for \$10,000 to Rev. N.H.D. Wilson of Greensboro. No record has been located showing that the mortgage was paid.⁷²

An interesting tradition has come down to the descendants of Ruben F. Trogdon former Sheriff of Randolph County, North Carolina. The story says that Trogdon loaned Thomas Settle money to run for governor in 1876. When Settle was defeated he was unable to repay the loan and Trogdon received the Mulberry Island property to settle the debt. In September 1877 a newspaper reported that R. F. Trogdon had purchased Mulberry Island for the sum of \$20,000. This sum may have included paying off the old mortgage plus additional money. It appears that Trogdon did not pay off the entire amount until 4 January 1885 when Settle gave him a clear title to the property.⁷³ By 1880 the Trogdons had moved to Mulberry Island. Interestingly enough R. F. Trogdon died a few days after he received title to the property and he was the first person to be buried in the Trogdon Family Cemetery at the location where Mulberry Island Methodist Church was later built. The Trogdon heirs continued to reside at Mulberry Island until January 1912 when they sold the property to John Moore of Madison, North Carolina.⁷⁴

According to one source Settle seriously considered leaving his native state and moving west after his defeat in the gubernatorial race of 1876.⁷⁵ However his plans changed for on 30 January 1877 he was appointed as the Federal Judge for the Northern District of Florida. In early March he was in Pensacola holding court but a month later he had transferred the court sessions to the City of Jacksonville. The Settles moved to Jacksonville where they purchased two lots on Market Street in 1878. Here they maintained a home but returned to

Greensboro for the summer during some years. It appears that Settle liked living in Jacksonville and in 1880 he purchased a small tract of land in the area and planted an orange grove. However in later years the family seems to have returned to Greensboro when court was not in session. Settle remained the Federal Judge in Northern Florida for the remainder of his life.⁷⁶

According to a letter written in 1866 by Rev. F. H. Jones, a well known Baptist minister, Thomas Settle had recently experienced a religious conversion. In the letter written to Settle's mother Rev. Jones seemed satisfied that her son's name was "written in the Lamb's book of Life". However it does not appear that Settle ever joined a church. After the Settles moved to Greensboro they attended services at the First Baptist Church. The couple may also have attended services at the First Presbyterian Church in Greensboro. A search of the records of the First Baptist Church of Greensboro failed to show any record of the Settles as being members of that congregation. At the time of Settle's death none of the numerous obituaries which appeared in the newspapers around the state mentions him as being a member of a church.⁷⁷

While in downtown Greensboro on Saturday 1 December 1888 Judge Thomas Settle suffered severe chest and arm pains and retired to the Judge's chambers in the Federal Courthouse to rest. A doctor was summoned but a short time later Settle suffered a major heart attack and died within a few minutes. He was 57 years of age.⁷⁸ His body was carried to the family home on Asheboro Street where for two days large crowds came to pay their respects. The funeral services was held at the First Baptist Church in Greensboro with the church's pastor Rev. W.R. Gwaltney opening the service with prayer followed by an impressive funeral oration by Presbyterian minister Rev. Egbert W. Smith. Dr. Jacob Henry Smith, minister of the First Presbyterian Church of Greensboro, concluded with the reading of the burial service. While church bells tolled an immense crowd of mourners followed the funeral cortege to Green Hill Cemetery where Judge Settle was buried with Baptist minister Rev. W. R. Gwaltney concluding the services.⁷⁹ A few days later after the funeral one of Judge Settle's daughters wrote the following lines: "I brought these flowers from Papa's grave on Tue. December 4, 1888. He died on Sat. December 1, 1888. He was 57 years of age and perfectly natural to the last".⁸⁰ Judge Settle's wife Mary died on 3 March 1895 at age 55. She was buried at her husband's side in Green Hill Cemetery. In the following years a number of the Settle's children and grandchildren would be buried in the family plot.⁸¹

The laudatory words delivered over the grave of Thomas Settle, Jr. would not find attentive ears among the state's historians, most of whom were Democrats. Thomas Settle, Jr. would soon become a footnote in the annals of Tar Heel history- never to receive the recognition he deserved in sowing the seeds of a two-party political system which flourishes in North Carolina today.

FOOTNOTES

- ¹ John H. Wheeler, Reminiscences and Memoirs of North Carolina and North Carolinians, (Columbus, Ohio: 1884), p. 389.
- ² William E. Reese, The Settle-Suttle Family, (Carrollton, Georgia: Thomasson Printing Company, 1974), p. 166.
- ³ Ibid, pp. 65-66.
- ⁴ Ibid, pp. 167-168.
- ⁵ Julia H. Gunn, "North Carolina Land Grants" The Journal of Rockingham County History and Genealogy, December 1995, pp. 23, 49.
- ⁶ Rockingham County Old Wills, p. 127. Rockingham County Court Minutes, February, 1800 session. Rockingham County Marriage Bonds.
- ⁷ Reese, The Settles, p. 169.
- ⁸ Ibid p. 170.
- ⁹ Gunn, "Land Grants", Rockingham Journal, p. 49.
- ¹⁰ Rockingham Journal, "1815 Tax Lists", p. 21. Rockingham County Censuses, 1800 and 1830, population schedules.
- ¹¹ Rockingham County Court Minutes, 1786.
- ¹² Richard R. Saunders, Jr., Open Doors and Closed Windows of the First Baptist Church, Reidsville, North Carolina, (Durham, North Carolina: Seeman Printery, 1948), pp. 238, 239, 246, 247. Lick Fork was founded as a Baptist church. Following a division in the congregation in 1840 Lick Fork became a Primitive Baptist church. It is still an active congregation.
- ¹³ The Settle Family Cemetery is located on Brooks Road two miles east of Reidsville, North Carolina. The cemetery has served as a burial place for the Settles and other residents of the area both white and black. While Hogan's Creek Baptist Church was located there (1844-1869), it served as a burial place for the congregation. The Rockingham County Historical Society is presently restoring the broken stones in the cemetery. A count of the graves in the Settle Cemetery on 21 February 1995 by Bob Carter showed a total of ca. 161 graves. See Reese, Settle Family, pp. 674, 675 for more information on family members. Also see Rockingham County Will Book B, p. 73. Tombstone inscription Settle Cemetery.
- ¹⁴ Reese, The Settles, p. 348. William P. Bynum, Jr., Presenting the Portrait of Thomas Settle to the Supreme Court, November, 1905, p. 5. Thomas, Sr., was born in 1787 or 1789. The date appears in the Settle Bible record but is not clear, It appears to be 1789. His son-in-law Governor David S. Reid believed the date to be 1787 and placed it on Settle's tombstone. However most people have used the date 1789.
- ¹⁵ Rockingham Court Minutes, November 1809 session. Rockingham Superior Court Minutes, 1807-1826, September 1814 session, p. 97.
- ¹⁶ Wheeler, Reminiscences, p. 389.
- ¹⁷ United States Postal Records, Appointment of Postmasters Rockingham County, North Carolina, 1815-1827, microfilm copy in Historical Collections Room, James Library, Rockingham Community College. Thomas Settle's brother, Josiah II, served as postmaster at Settle's Store from 1821 to 1824.
- ¹⁸ See footnote number 16.
- ¹⁹ William S. Powell, Dictionary of North Carolina Biography, (Chapel Hill: UNC Press, Vol. 5, p. 316. The North Carolina Standard, 15 August 1857.
- ²⁰ Rockingham Deeds: Book 2dE, p. 244; Book 2dQ, p. 11-12; Book 2dV, p. 76; 2dT, p. 326. Also see Rockingham Will Book C, p. 258. The Judge Settle home tract of 1,300 acres was advertised for rent in 1864. See Greensboro Patriot, 30 October 1864.
- ²¹ Ca. 1980 Siler Rothrock and Bob Carter examined and photographed the Thomas Settle, Sr. homeplace. Hugh R. Scott, "History of the Settle, Reid and Scott Families", unpublished

typescript ca. 1920, p. 7. Conversation with Mrs. Russell Soyars ca. 1980 about the outbuildings at the Settle homeplace. She resided in the Settle house for many years.

²² Caswell County Marriage Bonds. Jeannine D. Whitlow ed. The Heritage of Caswell County, North Carolina, 1985 (Winston Salem: Hunter Publishing Company, 1985), p. 233.

²³ Saunders, Open Doors, pp. 245, 247, 249.

²⁴ Rockingham Deeds; Book 2dN p. 142. The author discovered the 1843 Hogan's Creek church deed which is not listed as a church deed in the real estate index in the County Courthouse.

²⁵ Saunders, Open Doors, p. 271. The name of the church was changed to the First Baptist Church of Reidsville at a later date.

²⁶ Powell, Dictionary, Vol. 5, p. 316.

²⁷ Scott, "Settle, Reid and Scott Families", p. 8. Rockingham Wills Book C, p. 258.

²⁸ Lindley S. Butler, The Papers of David Settle Reid, (Raleigh: Division of Archives and History, 1997), Vol. II, p. 201. Letter from David S. Reid to Thomas Settle dated 26 May 1857 mentions Settle's operation. Tombstone inscription, Settle Family Cemetery.

²⁹ Rockingham Wills, Book C, p. 258. Judge Settle's daughter Fannie married first Colonel J. W. Covington of Richmond County, North Carolina. Her second marriage was to Oliver H. Dockery. Daughter Caroline was the second wife of Hugh K. Reid. Daughter Henrietta (1824-1913) married Gov. David S. Reid. The Judge's two sons were Thomas who will be discussed in the following paragraphs and David A. Settle (1839-1906). David never married but had a family of two daughters, Laura and Kate Saunders, and one son Jack Saunders. He served in the lower house of the State General Assembly 1870-1874. He was Clerk of Rockingham Superior Court 1874-1885, U.S. Marshal for Western North Carolina 1885-1889 and resided in the Town of Wentworth. He is buried in the Gov. David S. Reid plot in Greenview Cemetery in Reidsville. Tombstone inscription, Settle Family Cemetery.

³⁰ Scott, "The Settle, Reid, and Scott Families" p. 7. The brick office building was torn down ca. 1962 according to Charles D. Rodenbough of Madison, North Carolina.

³¹ Thomas Settle Papers, #3345 Southern Historical Collection, Wilson Library, UNC Chapel Hill, North Carolina, Folder I. Wright was the son of William Wright and the brother of James Wright who owned Wright Tavern in Wentworth.

³² Ibid. Samuel Smith owned a large plantation on the Mayo River and West Mayo Mountain. He chartered a classical school named Shady Grove in 1825 on his property. He died on 6 December 1844 and his son Rufus continued teaching the school for a number of years.

³³ Powell, Dictionary, Vol. 5, p. 316.

³⁴ Ibid. Rockingham Court Minutes, 1852.

³⁵ Bynum, Thomas Settle Portrait, pp. 10-14. Powell, Dictionary Vol. 5, p. 316

³⁶ Scott, "The Settle, Reid, and Scott Families" p. 8.

³⁷ Letter from Junius I. Scales (1832-1880) to J. Pinkney Scales in Carroltown, Mississippi dated 31 December 1853: Letter in possession of Mrs. Kate J. LePine, Alton, Virginia, a descendant of J. P. Scales and a brother of J. I. and A. M. Scales.

³⁸ Powell, Dictionary, Vol. 5, p. 316.

³⁹ Ibid.

⁴⁰ Bynum, Thomas Settle Portrait, pp. 19-20.

⁴¹ Upton G. Wilson, "Sage of New Bethel: Ham Garrett," The Reidsville Review, 3 October 1924. W. T. Jordan, Jr. North Carolina Troops, 1861-1865, A Roster (Raleigh: North Carolina State University Print Shop, 1975) Vol. 5, pp. 355, 365.

⁴² Jordan, N. C. Troops, Vol. 5, p. 275. William S. Ball, "Typical Men of the Rebellion Period in the South", unpublished manuscript, ca. 1888, p.4. copy in the Historical Collections Room, RCC.

⁴³ Powell, Dictionary, Vol. 5, p. 316.

- ⁴⁴ The Daily Confederate, Raleigh, North Carolina: 27 July 1864.
- ⁴⁵ Ball, "Typical Men", pp. 6-8
- ⁴⁶ Tracy Power, Lee's Miserables, (Chapel Hill, North Carolina: The UNC Press, 1998), p. 237.
- ⁴⁷ Linda Griffith, "Yadkin Monument", The Yadkin Enterprise, 9 October 1968. G. Wright Lankford, "Gaiety of Old South Recalled", The Winston-Salem Journal, 9 August 1925.
- ⁴⁸ Yadkin County, North Carolina Marriage Bonds. The North Carolina Presbyterian, 4 June 1859.
- ⁴⁹ Nancy Watkins, "Famous Plantation Sold To C.A. Penn", The Reidsville Review, 10 December 1930.
- ⁵⁰ Settle Family tradition from Harold Carpenter, Greensboro, North Carolina, 17 April 1999. Mr. Carpenter is a Settle descendant through his grandmother Henrietta Settle Beall.
- ⁵¹ Rockingham Deeds: Book 2d Q, p. 11. Agricultural and Slave Owner's schedules, Eighth Census of the United States, 1860, Rockingham County. Among the Settle slaves was Reubin, who became the father of Glenn T. Settle the well-known founder of the "Wings over Jordan", a choir which sang to a nation-wide radio audience from the late 1930s to the 1950s. Glenn T. Settle was born in a log house in the Sandy Cross Community of Rockingham County.
- ⁵² "Boyd-Settle Papers", H. C. R., RCC. This collection contains Settle Bible records newspaper clippings, and the Settle Family research of Mrs. Elizabeth Boyd Fanelli.
- ⁵³ Powell, Dictionary, Vol. 5, p. 316.
- ⁵⁴ Robert Gwynn is listed as a County Commissioner in Branson's North Carolina Business Directory For 1869, The County Commissioner's Minute Book for 1868-1870 has been "lost". Gwynn was a free black who owned land in the Lowe's Methodist Church area southeast of Reidsville before the Civil War. He later purchased land in the Shiloh area from Thomas Settle and died there soon after 1900. He was the last person buried in the old Wesley Chapel Methodist Church Cemetery. Gwynn help found Gwynn's School for black children in 1879. Rockingham Deeds, Book 3d D, p. 178.
- ⁵⁵ Allen W. Trelease, White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction, (New York: Harper and Row, 1971), p. 195. The North Carolina Standard, 8 August 1869.
- ⁵⁶ Ball, "Typical Men" pp. 10-13.
- ⁵⁷ Judge Albion W. Tourgee Papers #1478, microfilm, Southern Historical Collection, UNC, Chapel Hill, North Carolina.
- ⁵⁸ Correspondence of Gov. W. W. Holden, Box 5, folder 4 May 11-15, 1869, State Archives, Raleigh, North Carolina, Letter dated Wentworth, 12 May 1869. See Gov. W. W. Holden Letter Box 5, folder 25-30 May 1869, Thomas Settle Collection, Box 1, folder 4, letter from Judge Tourgee to Thomas Settle.
- ⁵⁹ Report on the Alleged Outrages in the Southern States, Washington, D.C.: Government Printing Office, 1871), p. 87.
- ⁶⁰ Rockingham Superior Court Minutes Docket Book, Clerk of Court Office, Wentworth, North Carolina.
- ⁶¹ Robert W. Carter, Jr., "Settle's Bridge", The Journal of Rockingham County History and Genealogy, June 1982, pp. 1-19.
- ⁶² Powell, Dictionary, Vol. 5, p. 316. Harper's Weekly, 3 August 1872, contains an article on "The Honorable Thomas Settle." Avila Lindsay, "Life on the Dan," manuscript ca.1904, p. 13. The article was published in the Charlotte Observer and Webster Weekly in 1905. Robert M. Douglas Papers, North Carolina State Archives, folder 4, Letters from Thomas Settle, Lima, Peru to Robert M. Douglas dated 19 August and 9 September 1871.

- ⁶³ Nancy Watkins, "Famous Plantation Sold to C. A. Penn," Reidsville Review, 10 December 1930. "An Exciting Chase in this County Seventy Years Ago," Reidsville Review, 3 June 1909. Avila Lindsay, "Life on the Dan," p. 12.
- ⁶⁴ Ibid. Earl H. Malloy, Malloy Family, (Greensboro: Privately published, 1998), p. 30.
- ⁶⁵ Church research, files of Bob W. Carter. Boyd-Settle Collection, HCR Room, RCC, Letter from Nettie Settle to Thomas Settle, 15 November 1871.
- ⁶⁶ Church research files of Bob W. Carter. Parish Register, Church of the Epiphany, Eden, North Carolina.
- ⁶⁷ Powell, Dictionary, Vol. 5, pp. 316, 317. New North State, 31 October 1872. Guilford Deeds, Book 4 pp. 353, 354, 555, 559. New North State, 28 May 1873, 30 August Harold Carpenter, a Settle descendant, Greensboro, North Carolina, 10 September 2002. New North State, 7 January 1874. All articles written about Thomas Settle claim that he moved to Greensboro in 1870 but these newspaper articles prove that he moved in 1872.
- ⁶⁸ Powell, Dictionary, Vol. 5, p. 316. R. C. Lawrence, State Magazine, 31 May 1941, pp. 25, 26.
- ⁶⁹ Clement Dowd, Life of Zebulon B. Vance, (Charlotte: Observer Printing House, 1897), p. 156, 157, 158.
- ⁷⁰ R. C. Lawrence, "Ten Outstanding Losers," 1873. State Magazine, 11 December 1943, pp. 25, 26. Glenn Tucker, Zeb Vance: Champion of Personal Freedom, (New York: The Bobbs Merrill Company, 1965), pp. 457, 460. Lawrence, "Judge Thomas Settle" State Magazine, 31 May 1941, pp. 25, 26.
- ⁷¹ Rockingham Deeds: Book 3dD, p. 178. The Union Republican, 9 September 1875. A search of county deeds failed to show a record of a Settle to Douglas transaction.
- ⁷² Rockingham Deeds: Book 3dG, p. 161.
- ⁷³ Interview with Mrs. Mary Guerrant Trogdon Wright (of Greensboro) on 21 October 1997. Mrs. Wright wrote a paper on "The Trogdons of Mulberry Island" dated 7 November 1997. The Raleigh Christian Advocate, 19 September 1877.
- ⁷⁴ Rockingham Deeds: Book 4dA, p. 439.
- ⁷⁵ The possibility of Settle moving west was mentioned in an interview with Stephen A. Douglas, Jr. by the Washington National Republican, 27 October 1879. In the interview Thomas Settle is presented as a possible Vice President candidate of the southern Republicans. Copy in the Settle Papers, Box 2, folder 31, S.H.C., Chapel Hill.
- ⁷⁶ Wheeler, Reminiscences, p. 390. Settle's letters to his family from Florida dated 5 March; 13 March; 8 April; 13 April 1877. From the Boyd-Settle Papers, H. C. R., RCC. Mortgage Deed dated 2 April 1878, in Settle Papers, Box 2, folder 28, S.H.C. Chapel Hill. Letter from Thomas Settle, III to Thomas Settle Malloy of Rockingham County dated 18 July 1880. From the Malloy Papers, private collection of Michael Lovings, Reidsville North Carolina. This letter mentions that "Papa" is planting an orange grove. During this period of time oranges were planted in the Jacksonville area but after the big freeze in the 1890s the planters moved further south in Florida. Information from Honesta W. Dobyns, a native of Jacksonville.
- ⁷⁷ Letter from Rev. F.H. Jones to Henrietta Graves Settle dated 7 February 1866. Letter from the Settle Papers, Box 1 folder 3, S.H.C. Chapel Hill. A recent search of the records of the First Baptist Church of Greensboro from 1873-1890 failed to locate the name of any of the Settles as members of the church. Obituaries of Thomas Settle in the Stephen Weeks' scrapbooks in the Carolina Collection, UNC, Chapel Hill.
- ⁷⁸ Greensboro North State, 6 December 1888. Also Stephen Weeks' scrapbooks, Carolina Collection, Chapel Hill. These books contain a number of obituaries of Settle.
- ⁷⁹ Ibid.
- ⁸⁰ Boyd-Settle papers, H.C. R., RCC.
- ⁸¹ Ibid. Tombstone inscriptions, Green Hill Cemetery, Greensboro, North Carolina.

Thomas Settle's Stories of Reconstruction

By
WILLIAM S. BALL
(1836-1921)

Edited, notes and introduction by
Michael Perdue

Introduction

During the initial planning for this December 2002 issue of the Journal the following manuscript was rediscovered in a collection of papers that had been made available to the Rockingham County Historical Society some several years ago by a society member, Mrs. Mary Glen Boyd Taylor of Richmond, Virginia. Mrs. Taylor is a great-granddaughter of Thomas Settle, Jr. (1831-1888), the subject of this article. What follows this introduction is a most unusual and engrossing account of Judge Thomas Settle's role in the Reconstruction period in North Carolina. The author of this account, William S. Ball, is one totally forgotten by historians and scholars in North Carolina History and only through intense research in the late summer of 2002 do we have any grasp upon this elusive figure and his connection to Judge Settle.

William S. Ball was born on 1 September 1836 in the town of Monroe, Orange County, New York. He was one of some seven children born to Peter Ball (1803-1883) and wife Abigail Lamoureaux (1805-1889). While little is known of the Ball ancestry, Abigail Lamoureaux's genealogy extended to her Huguenot great-great grandparents who had emigrated from France eventually to the colony of New York via England around the turn of the eighteenth century.²

Little is known, at present, of William S. Ball's early life. During the Civil War he enlisted as a private in Company K of the 55th New York Regiment of volunteers. The 55th Regiment, known as the Lafayette Guard, was made up largely of French immigrants or their descendants living in and around New York City. William Ball served approximately twenty months in the Union Army. On 15 December 1863 William S. Ball married Mary Catherine Conklin (1844-1924), also from Monroe, New York. To this union was born at least three sons: Floyd (c. 1864-?), George (1868-1936), Henry (c. 1870-?) and two daughters: Ella and Delgratia.³

Following the end of the Civil War, William Ball, an attorney, was one of many Northerners who ventured South during the dark and uncertain days of Reconstruction. During 1867-1868 he was employed in the Second Military District, comprising both North and South Carolina, as Assistant Judge Advocate of the district. He served under General Ed. R.S. Canby of Civil War fame. By 1870 Ball had settled in Greensboro, North Carolina—a mecca in that state, it seemed, for the Northerners called derisively, by Southerners, “carpetbaggers.” He

had formed a law partnership with fellow Northerner Thomas B. Keogh and opened an office in downtown Greensboro. The firm of Ball and Keogh specialized in bankruptcy law at a time when financial failures were commonplace in the postwar South. Ball's legal practice prospered. In 1873-1874 he had constructed a fine residence at the southeast corner of Davie and Lee streets-the same neighborhood where many of Greensboro's successful citizens during Reconstruction including attorney Keogh, and Judges Albion W. Tourgee, and Thomas Settle, Jr. had located with substantial residences (all since demolished). Ball later moved to Arlington Street in the same section of Greensboro. By 1876 Ball was in partnership with George H. Gregory and practiced in both state and Federal courts. He also served as Assistant U.S District Attorney. William Ball was also active in the agricultural and prohibitionist circles in Guilford County and North Carolina in the 1870s and 1880s.⁴

It was William S. Ball's devotion to the Republican Party that brought him notoriety in North Carolina. By late 1871 he was the editor of a new party organ in Greensboro, The New North State, which soon became the leading Republican newspaper in central North Carolina. It was inevitable that Ball would come into contact and form a deep friendship with his neighbor Judge Thomas Settle, whom he first met in 1867. Ball served as an adviser and mouthpiece for Settle during the latter's unsuccessful but dynamic congressional and gubernatorial campaigns in 1872 and 1876 respectively. Ball was described as "a bitter Republican who was so sour he was dubbed 'Vinegar Bitters Ball.'"⁵

Following his journalistic career Ball continued to practice law in Greensboro until just prior to 1895 when he moved back to his native New York State. He settled on a farm in Goshen, in his native Orange County; but still the legal profession continued to beckon him. The New York City directories from 1895 to 1918 list him as an assistant Federal District Attorney (the 1915-1916 directories list him as a clerk in the District Attorney's office). His office was in the Post Office Building that stood in City Hall Park in Manhattan. Ball's residence, when he was in New York City, was in Brooklyn though by 1917 he had moved to 207 East 17th Street in Manhattan. By 1920 Ball had retired to his farm at Goshen where he died following a brief illness on 13 February 1921. He was buried in the Cemetery of the Highlands, in the nearby village of Highland Mills, New York. By the end of his long life, Ball's two decades in North Carolina must have seemed like centuries ago.

During the late 1880s Ball was writing a manuscript which apparently dealt with, in part at least, leaders in the South during Reconstruction. Ball drew much upon his own personal recollections as well as those of his friend Judge Thomas Settle. On the day before his fatal heart attack on 1 December 1888, Judge Settle visited Ball in his Greensboro office and discussed the developing manuscript in detail. Two chapters of Ball's book were entitled "Typical Men of the Rebellion Period in the South" and were devoted to Judge Settle and his role in the Reconstruction era in North Carolina. Ball, himself, thought that the manuscript was never published for it was deemed too inflammatory by Northern publishers. About 1907, Ball returned to Greensboro and visited with Judge Settle's family including the Judge's daughter, Mary Settle Sharpe. Upon returning home Ball

sent Mrs. Sharpe a copy of the portion of his manuscript that dealt with Judge Settle during Reconstruction. Attempts to locate the remainder of Ball's manuscript have been fruitless but it is hoped that someday it will be found. Anyone with additional information on Ball or this manuscript is encouraged to contact the Rockingham County Historical Society.

The following manuscript, published for the first time to our knowledge, is important as it provides us with a view of the political scene in Rockingham County during the closing days of the Civil War and the uncertain days of Reconstruction. It is a neglected time period in our county's history of which we still know only a sampling. Since Ball practiced law and was active politically in both Guilford and Rockingham counties during Reconstruction and afterwards he was certainly in the position to have first hand recollections of Thomas Settle, Jr. and many of the following events he describes. While Ball's pro-Union and Republican sentiments are very evident in his writings subsequent research has verified or corroborated much of what he had written over a century ago.

Michael Perdue

Ball's Manuscript

The Northern people cannot understand the unparalleled bitterness 'which characterized the differences between those in the South who favored the Union on the one hand, and the rebellion on the other. As a rule they hated each other; and this feeling displayed its intensity during the Civil War and for several years afterward. Of course it was the result of the ideas engendered by the "peculiar institution" of the south; and those constituting the rival factions unconsciously acquired the passions of hatred, without knowing how or why. It came to them from their leaders, whose deep emotions were excited by self-interest.

Contrary to the general Northern understanding, a strong Union party existed in some of the border States in rebellion, among them, North Carolina-where no doubt, until the influence of secession became irresistible, a large majority of the people desired to remain in the Union. When the tide of war began to swell in earnest, it submerged and swept away the last vestige of Union sentiment, or so overwhelmed, it that it was hidden from view. Men who were steadfast friends of the federal government were lifted off their feet, and either actively participated in the hostilities against the Union, or sought safety from death, or ill-treatment, by remaining mute.

I have in mind two gentlemen who may be selected to illustrate the temper of those days, and, their careers may render it more easy to understand the true situation. Hon. Thomas Settle and Senator Zebulon B. Vance are typical men of the higher classes in the South, neither of whom, on the start, favored the dismemberment of the Union.⁸ The former, in the political campaign of 1860, was

a Douglas Democrat, which was really equivalent to being a Union man. He was never in favor of a dissolution of the government; yet under the compulsion of excitement, he actually enlisted a company, in his native county of Rockingham, for the Confederate Army, and placing himself at its head, marched off to fight against the old flag, which, in truth, was enshrined in his heart.

But he could not feel contented in the rebel service, and his dissatisfaction rapidly grew into a settled determination to abandon a cause which neither his heart nor his conscience approved. He resigned his captain's commission and returned to his native county, and thenceforth until his death, was one of the most ardent and outspoken friends of the Constitution.⁹

Nor did it suffice him to do otherwise than to speak freely: and the whole of North Carolina knew him to be opposed to the unholy crusade against constitutional liberty. He pursued the work of his profession, the law, and avowed without hesitation that he desired the war to cease, and the government of the United States to be restored to its legitimate authority.

He later held many high positions, among them Speaker of the Senate and House of Commons, and judge of the Supreme Court of North Carolina, Minister to Peru, under Grant's first administration, and at his death, he was United States District Judge, in Florida. He was a candidate for Congress of his party, President of the National Republican Convention in 1872, and candidate for governor of North Carolina against Mr. Vance in the memorable campaign of 1876.

I have been thus particular in tracing his career, to introduce reminiscences of incidents, many of them related to me by the Judge himself.

In the year 1862, when the Union sentiment had a better hold upon the popular heart than afterward, Mr. Vance was the Union candidate for governor of his state. Two years later, Governor Vance had changed his views, and was again elected; but this time, represented the extreme element, and favored fighting the battles of secession to the bitter end. His opponent was William W. Holden, afterward, in 1868, elected governor, when the war was over.

It is the custom of the South for candidates to address the people in the principal towns. In pursuance thereof Governor Vance in 1864 had reached Rockingham County, Judge Settle's home, and had made a stump-speech at Madison. He knew the Judge well- they had been together at Chapel Hill, the State University. They were not unfriendly and enjoyed each other's acquaintance in a social way, both being full of answer to anecdote and quaint humor. Of course each knew the views of the other, and Mr. Vance was aware of the determined¹⁰ courage which distinguished Judge Settle in declaring his sentiments.

Reaching Wentworth, the Capital of Rockingham County, the day after he had spoken at Madison, Governor Vance requested Judge Settle not to reply to him that day; and the latter agreed he would not, if nothing was said about his, Judge Settle's, peculiar ideas. This was assented to, and Mr. Vance not only kept faith, but in his address at Wentworth, highly commended his old University friend-the purpose being, perhaps, to avert the threatening dangers which were gathering around the Judge, and which Mr. Vance must have been aware of.¹¹

But the turbulent war-element was in the ascendancy in Rockingham County



David Settle Reid
(1813-1891)

United States Senator and Congressman,
North Carolina Governor (1881-1884).

Reid was first cousin and
brother-in-law to Thomas Settle, Jr.
Photograph dated circa 18753

Courtesy of Historical Collections,
Rockingham Community College

David A. Settle
(1839-1906)

Brother of Thomas Settle, Jr.
Attorney, State Legislator,
Rockingham County Clerk of Superior
Court and Federal Marshal for the Western
North Carolina District (1885-1889).

Courtesy of Betty Baker and Bob Carter



and the crowd had made it up to attack Judge Settle, and either to kill him, or beat him unmercifully. Threats had been made at Madison, the day before, and subsequent events proved that a leader had been selected and a plan devised to carry out the bloody designs of the mob.

Judge Settle occupied a room in a long, low row of buildings, attached to the one hotel. In front of his "office", (as his room was called,) was a small door-yard extending probably ten feet to the fence. This ran about two hundred feet along the public square, in front of the other buildings. He sat quietly at work in his room, when a gigantic fellow appeared at the door, and used to him insulting language. The Judge ordered the man away, and out of the yard; the latter by this time being filled with the mob, who exhibited great excitement. The big fellow replied that it was a public hotel and he had a right to be where he was. Being once more commanded to depart, and not going, but continuing his abusive words, Judge Settle struck him in the face with his clenched fist. Immediately the crowd closed in, and a dozen hands grabbed the indomitable lawyer. The turmoil became furious. At this important crisis, Judge Settle saw pointed toward the crowd, over his shoulder, from behind, a silver-plated pistol, gleaming in the sunlight, held in the nervous grasp of his brother, David Settle, and as the muzzle of the weapon swept the front of the mob, every hand dropped and the surging crowd fell back. The brothers had never agreed in politics.¹²

Judge Settle, being thus relieved from imminent danger, the fight became general, with a new element interposing. About thirty-five members of Judge Settle's old company happened to be at home, on furlough, and seeing him assailed, came solidly to the rescue. In a half minute, every fence-picket had been wrenched off for a weapon. The mob was ignominiously put to flight, and Judge Settle was delivered from peril by his early comrades in arms.

But many fights resulted. The town was in a turmoil, individuals and groups took up the quarrel. Governor Vance had influenced his friend to enter his room. As they sat chatting, the noise of the encounter outside reached their ears; and Judge Settle started to take part in the scimmages, to aid his friends, declaring he would not abandon those who had espoused his quarrel. Governor Vance endeavored to prevent his egress, believing him to be in danger, and interposed his bulky person between his visitor and the door; but such was the stimulation of his passion, that Judge Settle hurled the governor, weighing more than two hundred pounds, like a feather out of his way, and joined, his friends in the contest.

Among the first he saw outside, was the antagonist who had originally headed the mob, to whom he approached and said, "I am going to kick you out of this town"; and he kicked him until the immense fellow got into a buggy and was driven away. It may be related as a wonder of the human heart, that afterward, the vanquished giant became one of Judge Settle's warmest friends and supporters, and voted for him whenever a candidate.

After the war, came reconstruction (so-called) and Judge Settle was chosen a member of the Supreme Court, as already related. The hatred of the class of men who attacked him at Wentworth, in 1864, still pursued him, and others of his political proclivities. In the campaign of 1868, Mr. Holden and Judge Settle canvassed together. In their tour they went to Charlotte, the town where the

Mecklenburg Declaration of Independence was promulgated, in 1775. As illustrating the state of feeling, a minor incident, of no importance in itself, occurred. These gentlemen had reached Charlotte at about midnight and went to a hotel, where they were received by Hon. David A. Jenkins, who resided in that part of North Carolina and regarded Mr. Holden and Judge Settle as his guests. Mr. Jenkins was also a candidate for State Treasurer and was elected with the others. Our canvassers entered their names in the hotel register, expecting to be assigned to rooms. They then stepped back and engaged in conversation with Mr. Jenkins. After the expiration of fifteen or twenty minutes, they noted that no movement was made to provide them with rooms. It gradually dawned upon them that they were being snubbed, and inquiry as to lodgings being made, they were curtly informed, without further explanation, that there was no accommodations for them. Mr. Jenkins then stepped up and swore most heartily at the man behind the desk, this being the only consolation to his ruffled feelings; and all three men departed to another house, where they were received and entertained like other guests, as a matter of course.

After the election of 1868, Judge Settle, as a member of the Supreme Court, spent much time in Raleigh, the State Capital. But in his vacations, he resided upon his patrimonial estate in Rockingham county, a fine plantation of above twelve hundred acres, situated up the Dan River, about six miles from Wentworth.¹³

The terrible Ku Klux Klan had now been organized in many parts of North Carolina. The leaders, in Judge Settle's neighborhood, were more than ordinarily ferocious. From the first, he was a marked man, and when at his home, during the vacations of the Supreme Court, was always in danger. His death was resolved upon by at least two of the Klans.¹⁴

In one of them, it was resolved to burn his mansion, the plan being to gather hay and straw from the stables and place them under the dwelling (which had no cellar) and set fire to the combustible mass. Men were to be stationed in convenient positions to shoot him down, if he came running out. No pity was felt for the wife and helpless children of the household; and a detail was actually made from the Klan to carry into execution the dreadful fiat of death! These devils approached the plantation, but coming to the river found it overflowing its banks, with only a rickety canoe, or "dug-out", in which to cross the swollen torrent. And so the cowards did not venture over and the purpose was never carried out.

Another plan to kill him was concocted. A hundred and fifty, or more, yards to the rear of the dwelling, were the stables; and still further, in the same direction, was a forest of lofty trees, the ground underneath being covered with underbrush of dense growth. Everyone who chose, was at liberty to shoot birds and hunt in this forest, and large numbers availed themselves of the privileges-so that it was a common thing for rifles and shot-guns to be fired there, and nothing was thought of it.

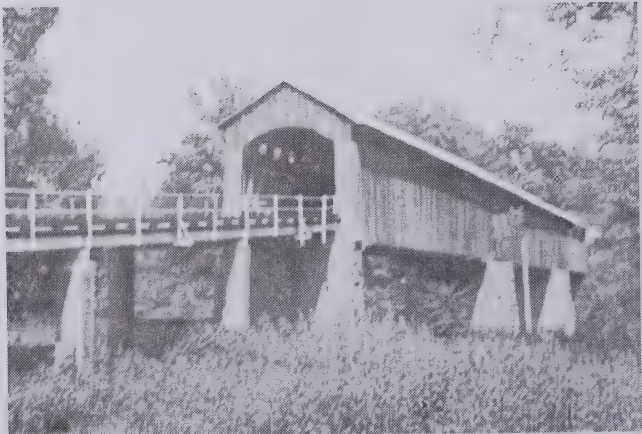
The Judge customarily rambled through these woods on fine days, a habit well-known thereabouts. It was planned to shoot him during one of these rambles and his body was to be hidden away in a grave dug for him under a hill among the bushes. The location of this grave was skillfully chosen to avoid discovery, and



Zebulon B. Vance
(1830-1894)

Governor of North Carolina
(1862-1865 and 1877-1879)
and later United States Senator.

Courtesy of Historical Collections,
Rockingham Community College



Settle's Bridge over the Dan River, constructed 1869-1870, was a pet project of Judge Thomas Settle. The bridge, though in excellent condition, was demolished in 1951.

Courtesy of Michael Perdue

Judge Settle never knew of it until sometime after the danger was over, when it was shown to him by a tenant.

Another Klan had it in charge to kill Judge Settle in a different way. There was a bridge over the Dan River, about two miles from the plantation, called "Settle's Bridge." For some local reason, this bridge was unpopular-in truth certain ones complained of Judge Settle's connection with its construction. The purpose was to get rid of both at once, and the Klan voted that he should die upon the bridge, a sentence at once dramatic and terrible. He was to be captured and tied in the center of the structure, over one of the piers, and then fire was to be applied at each end, with the expectation that the victim would perish in the flames.¹⁵

This scheme also failed, because among the Klans, Judge Settle had a secret friend of influence-in truth the Chief of the Klan making the decree, a rough, ill-favored man, having a wicked soul, but with an affectionate spot in it for the Judge. They had been boys together and the regard of this Chief for the old companion of his youthful days had never ceased to warm his heart and overcome the chill of its wickedness. He was the leader of his Klan and when it was proposed to slay his old friend, he vehemently advocated the resolution. This apparent eagerness deceived his comrades. As the leader of the gang, he it was who should have carried out its behests; but he took good care that no detail of men should be made for the purpose of his murder, when Judge Settle was in the county; and sent no other message to other Klans to execute the sentence.¹⁶

The condemned man was not unconscious of his danger, and of the watchful guardianship of his boyhood companion, who sent word of the destructive purpose, with the caution that his own life was in Judge Settle's keeping, and that if the latter exposed him, his death was ensue within twenty-four hours. Of course, no syllable ever escaped Judge Settle's lips, although it was a task most horrible, to be compelled to mingle with his neighbors, the custodian of such ghastly secrets, and knowing that many of them thirsted for his blood.

He also at this time heard of other plots against his life and of the intention to fire his dwelling and burn his wife and children to death and defiantly sent word to the leading Klansmen that he knew of this scheme and dared them to do their worst. No doubt his very boldness helped to save him.

It seems now incredible that such reckless cruelty could exist. Not even the ties of kinship protected men from political assassination. An instance occurred during the days spoken of, well authenticated which I give, omitting names, as in other cases. The death of a Republican of Rockingham County was resolved upon, his offence being nothing except political. He was invited to remain overnight at the house of a kinsman, (probably a cousin). The plan of the dwelling was carefully prepared, including the room and bed where the guest was to retire; and this was given into the hands of his KuKlux executioners. The chosen victim accepted the invitation and was shown to his room, when he sought repose, and actually remained until morning. His assassination was not prevented by his kinsman, (who indeed had helped to plan it) but by the action of an influential gentleman, a member of the White Brotherhood, residing about two miles southwest of the town of Madison; and who insisted that the Klan were not organized

for such a purpose; and that if it was carried out, he would reveal everything connected with the KuKlux, and denounce them besides. His standing was too prominent to be ignored and his determined courage was the only thing that saved the unconscious sleeper.

The steadfast bravery of Judge Settle, the most prominent Republican, not only in Rockingham County, but even in that early day, likewise in the State, was tested in more ways than one.

He not only had the brutality of the lower order of the KuKlux to contend with, but was frequently called upon to face the educated classes, whose sympathies, whether members of the brotherhoods, or not, seemed to lean in that direction, giving the advantage of strong moral support to their atrocious methods.

Certain prominent lawyers, throughout the State, embittered by the war and smarting with the pangs of defeat, (having before being themselves the government) now hated their new rulers. They organized an opposition to the Supreme Court and very numerous signed a paper called "A Solemn Protest of the Bar of North Carolina against Judicial Interferences with Political Affairs."¹⁷

This paper was published in the Raleigh Sentinel, a virulent KuKlux journal, in April 1869, and was signed by more than one hundred lawyers, among them, men of exceptional prominence, then and thereafter. The oldest and most famous of them all was Hon. B. F. Moore, who probably drafted the paper; and there was also A. S. Merrimon, John Kerr, Thomas Bragg, Spier Whitaker, Jr., Z. B. Vance, Jos. J. Davis, Jno. H. Dillard, T. Ruffin, Jr., Thomas J. Jarvis, J. E. Boyd, C. M. Busbee, J. E. Shepherd, Sion H. Rogers, A. M. Scales, J. T. Morehead, Jr., M. S. Robbins, M. McGhee, Samuel P. Hill, E. S. Parker, L. W. Humphrey, and many others. Some of these were afterward chosen by the Democrats as Senators of the United States, members of Congress, Judges of the Supreme Court and Superior Court, and Members of the Legislature. One of them, Merrimon, was afterward Chief Justice of the Supreme Court. Three were later elected governor, and another was made Commissioner of Agriculture. Two became Republicans, Boyd and Humphrey, but the latter drifted back to Democracy.

The Protest was aimed at the Justices of the Supreme Court, and among other high-sounding phrases, charged them singly and en masse, we being "moved from that becoming proprietary so indispensable to secure the respect of the people and, throwing aside the ermine, with rushing into the mad contest of politics under the excitement of drums and flags."

The Supreme Court, consisting of Chief Justice Pearson and associate justices Reade, Rodman, Settle and Dick, made an order that attorneys who had signed the Protest, and also practiced in the Supreme Court, should be "Disabled from hereafter appearing as attorneys and counselors in the Court unless they should severally appear on Tuesday, June 15th, 1869, and show cause to the contrary."

It became necessary, therefore, as a condition, before they could again appear in the Court, as practitioners, that they should purge themselves of the contempt, which some of the leading ones among them did, under oath, disavowing any intention of committing a contempt of the Supreme Court, or of impairing the respect due to its authority. So the Rule was discharged, on payment of costs, the

respondents being "not acquitted, but excused." The case is reported in Volume 65, N.C. Rep. p. 397.

It was necessary for the Supreme Court then to assert its power and dignity, and this was done promptly. In North Carolina the lawyers were of great influence, by reason of their education and mental training, among a people as illiterate as any in the Union.

The attack upon the Supreme Court was utterly without warrant and the averments of the Protest were false, as applied to that tribunal. There had been a celebration of the Republican victory, in Raleigh, after the election of General Grant, in 1868, in which it was advertised that certain Judges of the Supreme and Superior Courts would be present and at which there were drums and flags; but the advertisement was without the authority or knowledge, of the judges of the highest court. Judge Settle is my authority. It is certain none of them participated in the celebration; and only one Judge of the Superior Court made himself conspicuous at the meeting, if indeed the others were any of them present.

The facts are given to illustrate the caustic temper of the epoch. The great body of the lawyers were, in politics, opposed to the Judges; and the Republican members of the bar probably numbered no more than thirty throughout the State. Here was a solid, disciplined body—that is, the Democratic lawyers—with trained minds, exerting all their powers to supplant and overthrow the new government: and they thought to do so by undermining the influence and respect due to it, of its highest judicial tribunal. They had to be met, and the judges defeated them; and they were forced to disavow the plain intent and meaning of their language, and humble themselves in apology, before the very ones whom they affected, in grandiose phrases, to censure, and whom they arrogantly and attacked through the public press. The ingenuity of the culprits, however, was equal to the emergency, and they purged themselves of their contempt, with quite as much facility as they had signed the Protest.

Many times, in those days, the Judges of the Supreme Court were compelled to sit individually, as examining and committing magistrates. On one of these occasions Judge Settle had issued bench-warrants in Rockingham County, for the examination into alleged KuKlux outrages. The defendants were brought before him at the courthouse in Wentworth, and were defended by Hon. John H. Dillard, afterwards himself a Justice of the Supreme Court, and General Alfred M. Scales, subsequently five times elected to Congress and, in 1884, chosen Governor by the Democrats. Judge Settle promptly informed these gentlemen that they would not be permitted to appear before him as practitioners insomuch as both had signed the Protest. They inquired if he intended to enforce the Rule of the Supreme Court to which they had not responded. The Judge replied that he was not exacting obedience to that Rule, but to his own, which he then made; that he was an individual member of the insulted tribunal, and that they had not only libeled the Supreme Court, as a united body, but the Justices, as individuals, and peace officers; and thus they had endeavored to impair the authority of the members of the court when sitting as magistrates and conservators of the peace; and that they must purge themselves of their contempt if they wish to proceed before him.¹⁸

The court room was packed full with an excited throng, a vast majority being the political, and many, the personal enemies of Judge Settle; who confronted the infuriated assemblage single-handed. But such was the dignity of his presence and the firmness of his resolution, sustained as he was by the subtle power of the law, and the prerogatives of his exalted office, that instant and unquestioning obedience was yielded to his authority.

Only a few days previous the defendants in one of the cases were taken before two justices of the peace in Thompsonville, and so turbulent were the demonstrations of the crowds assembled, and so violent their threats, that the magistrates were glad to turn their prisoners loose and escape themselves without injury. The same multitude had assembled, at Wentworth, in the courthouse; but the stillness of death characterized the proceedings.

Judge Dillard and General Scales asked for an hour to consider what they should do, at the expiration of which time they declined to purge themselves of their contempt - but inquired what would become of the rights of the defendants. Judge Settle informed them that he would see to that. At length a continuance was agreed upon until the next day, when Hon. David S. Reid, ex-Governor and ex- U.S. Senator, appeared for them.¹⁹

At another time, shortly after, there was in Greensboro a civil case, not quite so dramatic, which came up at chambers before another associate justice of the Supreme Court. Two counselors appeared. One had signed the Protest and the Judge declared he should not be heard. The disbarred attorney, a man of imperious temper, hotly exclaimed that His Honor, if left to himself, would not have been guilty of this discourtesy and was only a tool of the Supreme Court. This was more than judicial equanimity could endure, and the Judge, forgetting his dignity and remembering only his courage, proceeded to punish the contumacious counsel for the contempt, by striking him. The blow was returned and a rough and-tumble fight ensued. The Judge drew a chair upon his adversary. Peace was restored by the interposition of the non-combatants. The recalcitrant lawyer has given the following humorous account of the combat (not strictly accurate, the peacemaker declares!) The associate justice during the fracas lost off his spectacles. Both attorneys are tall and slender, and the Judge without his glasses, mistaking the mediator for his adversary, let the latter go and pummeled the former severely. The attorneys were L. M. Scott, Esq., and Col. Ruffin. The Judge was Robert P. Dick. Those were indeed revolutionary times, when the judge and lawyers fought together over the cases on trial.

Judge Settle was afterward a conspicuous figure in the politics of North Carolina. We have seen that he was elevated to the Supreme Bench, and became Minister to Peru. In 1872, after his return from South America, he was nominated by the Republicans of the Fifth District (much against his will) to represent his people in Congress. His opponent was General James Madison Leach.²⁰ The campaign between them was a fierce one; and politicians actively engaged in the conflict, expected to take risks. Of course, the Judge prepared himself for emergencies, in the usual manner, by stuffing pistols into his pockets. His precautions were prudent, as one incident of this campaign abundantly proves; and indeed it took strong nerves, in those days, to face audiences, some of the

men, perhaps, partially intoxicated, and many of the whites heavily armed.

The candidates, giving up the joint canvass, had separated temporarily, and Judge Settle had appointments of his own, to speak in Caswell County. One of the meetings was at Yanceyville, and was held in Poteat's tobacco warehouse, a large building, peculiarly adapted to the purpose, affording room for several hundred people. It was not uncommon, in the tobacco country, for political assemblages to be held in these warehouses. There were no seats, but the people clustered together, extending or squatting on their haunches, as their humor suited them.

In this instance, the warehouse was full. Although it was a Republican meeting, the Democrats were out in large force, without question meaning mischief-at any rate the circumstances so indicated.

The stage was a sort of platform as high as a man's breast. The people stood in front of it, the whites and negroes, as the custom was, separated. The whites were aggressive, and crowded the blacks, the former filling the space to the right in front of the speaker, and the latter holding less of the floor in the left and front, but extending further to the rear.²¹

Soon after the speaking had commenced, an uproar was heard among the whites, about ten feet from the platform. Of course there could have been no political feud among them, as they were all Democrats. The noise was so great that Judge Settle's voice, at first, was drowned and the negroes became uneasy, and some of them greatly alarmed. This was the same community in which Stephens had been assassinated for his political opinions, two years before.²² The disturbance had the same in appearance of a desperate fight. Men threw off their coats and jerked each other about. The speaker from his vantage-ground, observed the condition of things and noticed, in spite of the tumult, that no one was hurt. He at once divined the nature of the conflict, that it was a sham, evidently intended to break up the meeting, and possibly to do him some bodily harm. He thereupon, and a loud voice, which compelled attention, proclaimed that it was a sham-fight, and urged the people to keep their places and he would proceed with his remarks, so soon as the disturbance should be allayed. The agitation in the crowd, to get out, increased nevertheless.

At this juncture, a young man, Johnson, seeming very angry, came to the platform, within a few feet of it, and violently cursed Judge Settle; who replied, "Young man, I do not know you and I do not wish to have difficulty with you." His assailant exclaimed, "But I know - - - -well who you are," and clutched at Judge Settle's legs, flourishing a large knife, with which he attempted to cut the object of his animosity.

At this moment, Captain James T. Mitchell, with whom Judge Settle had served in the 13th North Carolina Regiment, a big, burly man, interposed his ponderous body and herculean strength, and hurled the aggressor away-then grabbed Judge Settle's ankle. This motion was at first misunderstood, and thought to be hostile; but the demonstration was made to attract attention and to assure the speaker that he had a friend. Mitchell besought him to keep the stand, promising to quell the disorder. The doughty captain then fought his way into the midst of the uproarious crowd, to the thick of the fight, which now promised

to be a real difficulty. Captain Mitchell demanded fairplay and soon restored order, and the meeting quietly proceeded without further interruption.²³

When the young man flourished his knife, he was within striking distance of Judge Settle, and did not suppose he was himself in extreme peril. But the speaker had a derringer in each pocket of his pantaloons, and a five-shooter behind him. He had his hand in one pocket, ready to shoot at his enemy through the cloth, or pull the pistol out and shoot it, as the emergency might require. He was about to bury the heavy bullet in his adversary's body, which might have been done before he himself could have been seriously injured. The plan how to kill his assailant flashed through his mind, quick as lightning; but happily, by the intervention of Mitchell, the dreadful alternative was avoided. Judge Settle believes that Mitchell's action saved his life, for had he killed anyone, the evident conspiracy against the success of the Republican meeting would have resulted in further bloodshed. He thought the sham-fight was planned with the view to the "accidental" killing of himself, or at the very least, with the design to break up the meeting. It was only the night before that he had spoken at Milton, in the same county, (about ten miles from Yanceyville) and the meeting there was disturbed, and the United States flag, which was used as a draping for the stage, was pelted with rotten eggs. These may have been intended for the speaker (whom they did not strike, however,) but they hit the flag without question. Mitchell was also present at Milton and quelled the riot there. His action, for a Democrat, was in those times remarkable, but he was a personal friend of Judge Settle.

General Leach was not present at either meeting, but was on a scout for himself. Of course, those who interrupted the two assemblages, would not have done so had their candidate been present.

As for the youth who attacked Judge Settle, he pursued his career of fury, several years and was frequently embroiled in political controversies. His time came at last and his life tragically ended. He had a feud with a Democrat, who had been appointed Postmaster at Yanceyville by a Republican administration. This was thought to be a crime and sufficient ground for a quarrel. Finally, after several days of bitter denunciation, the turbulent young man, with an associate, advanced upon the postmaster, to kill him. The two assailants exhibited pistols and began to fire, and their opponents brought them both down with the rapid discharges of a double-barreled shotgun, and the promoter of the difficulty was instantly killed. His companion was severely wounded. The grand jury refused to indict the postmaster, who had manifestly acted in self-defense. The man he killed was of the name of Johnston.²⁴

The days of violence, here portrayed, passed away and the country, even around Yanceyville, became generally quiet. Brute force was not long necessary. The terrorism it engendered, resulted in the election of Democrats; who amended the State Constitution and enacted Force Laws, so that the people had little voice, except to sustain the party in power - and all was peace!

Hon. Thomas Settle died suddenly in the Judge's Room of the United States Court House, in Greensboro, on Saturday, the 1st day of December, 1888. He was at the zenith of his fame, admired and beloved very generally in the South. His funeral obsequies were attended at the Baptist Church, where Rev. Egbert W.

Smith delivered an eloquent and impressive oration. No greater honors have been bestowed upon any man in North Carolina than upon Judge Settle. His remains were borne to the grave, followed by a great throng, while all the bells of the city were tolling.

The estimation in which he was held was shown by the numerous panegyrics of journals opposed to him in politics; and this means very much in the South, where, for a generation, there has been so much partisan bitterness.

One of the very finest traits in Judge Settle's character was his boldness. He never flinched. The people respected his courage, always manifested in most difficult times. His nobility of mind was displayed in upholding unswervingly, principles hated by the rules of the South-among them his University friends and nearest kinsfolk. Had he espoused their political faith, nothing in North Carolina, by way of reward, would have been beyond his reach. In the North, no one can realize how burdensome it once was to be a Republican in the South.

Judge Settle was a man of distinguished appearance. His figure was tall, symmetrical and commanding. His face was remarkable for its manly beauty, and was lighted up with dark brown eyes, bright always, but gentle, flashing or penetrating, as his temper might be. Such a man would attract attention if walking on Broadway, at the most crowded time of the day, and hurrying pedestrians would turn to look at him again. He had been favored by Nature in one of her kindly moods.

The greatness of men is generally estimated from their public career and services. This is not always the sole test. It was in the family and among his intimate friends, that the shining virtue of Judge Settle's character were mostly apparent. His social traits were beyond compare. He had a pleasant word, a kind look and smile for everyone. He was benevolent to the poor. His generosity outstripped his means. The lowly and humble venerated him for his tender heart. He loved little children and was patient with them. He did not promote strife and discord, but was a peace-maker. He had gathered around him, near at hand, his children and grandchildren; and they all looked up to him with pride and affection, as their leader and adviser-yet he was their friend and companion. He was thoughtful for the comfort and happiness of them all-of sons and daughters of adult years, and of the little toddlers who could not comprehend the magnitude of their loss; but all loved his gentle ways and genial nature; for affection is understood by **everyone**, old and young, great and small!

NOTES

¹ The editor would like to acknowledge the assistance and cooperation of the following individuals in preparing this manuscript for publication: Mrs. Mary Glen Boyd Taylor, Mrs. Isabelle Cluff, Mrs. Ann Roche, Goshen Public Library, Goshen, NY; Stephen Catlett, Archivist, Greensboro Historical Museum, Robert W. Carter, Jr., Rockingham County Historian; and Ms. Mariam Toubia, Reference Librarian, New York Historical Society.

² Obituary of W.S. Ball is in the Independent Republican, Goshen, NY, 15 February 1921. For the interesting genealogical background of W.S. Ball the editor is indebted to Mrs. Isabelle Lamoreaux Cluff, Family History Specialist, Mesa, AZ.

³ Ibid. Sandra Almay, ed. North Carolina 1890 Civil War Veterans Census (Joliet, IL: Kensington Glen Publishing Co, 1990), p. 96., 1870 and 1880 Federal Census of Guilford County, Gilmer Township, City of Greensboro.

⁴ The New North State, 4 January 1872, 29 February 1872, 27 June 1872, 9 July 1873, 17 December 1873, 1 January 1874, 9 September 1874, 7 April 1876, 15 September 1876. Reidsville Review, 11 November 1910. Ball appears in the surviving Greensboro City Directories from the 1870s through the early 1890s.

⁵ Ethel Stephens Arnett and W.C. Jackson, Greensboro. North Carolina. the County Seat of Guilford. (Chapel Hill, University of North Carolina Press, 1955), pp. 248-249.

⁶ Letter, Ms. Mariam Touba, Reference Librarian, New York Historical Society, to Michael Perdue, 21 August 2002. Independent Republican, 15 February 1921.

⁷ Letter (transcript), William S. Ball, New York City, to Mamie Settle Sharp, 13 July 2002. Copy of letter and genealogical information provided by Mrs. Mary Glen Boyd Taylor, Richmond, VA. Mary "Mamie" Settle Sharp, was born in 1863 at Mulberry Island, her father's plantation in Rockingham County. She married attorney Benjamin Sharpe of Tarboro, NC in 1884. Alamance Gleaner, 9 October 1884. The Sharpes lived in Greensboro and where he practiced law and she was an influential faculty member of the State Normal and Industrial College (now the University of North Carolina at Greensboro) from 1896-1920. She was a woman's rights activist and is reputed to have been the first female to be nominated for a statewide office in North Carolina (Office of Public Instruction). Mrs. Sharpe's older sister Henrietta married Dr. William P. Beall, a beloved physician in Greensboro for many years. Most of these families lived on Greensboro's south side in the early 1900s- residing in the neighborhood dominated by Lee and Asheboro streets. Conversation with William H. Ballard (1914-1992) of Mathews Court House, Virginia in July 1987. Mr. Ballard grew up in Greensboro and Wentworth and was a neighbor of the Sharpe and Beall families.

⁸ Zebulon Baird Vance (1830-1894), of Buncombe County, was North Carolina's most beloved political figure of the nineteenth century, serving as United States Congressman (1858-1861), North Carolina Governor (1862-1865, 1877-1879) and as United States Senator (1879-1894). A Democrat, Vance defeated Thomas Settle in the gubernatorial race of 1876. William S. Powell, ed; Dictionary of North Carolina Biography (Chapel Hill: University of North Carolina Press, 6 volumes, 1879-1966), VI. 85-86.

⁹ The charge that Settle was a member of the pro-Union Heroes of America movement during the Civil War hounded him throughout Reconstruction and during his political campaigns following the war. He denied any such affiliation during the war. Daily Confederate (Raleigh), 27 July 1864.

¹⁰ In the gubernatorial campaign of 1862 Vance ran on the ticket of the Conservative Party, made up of former Whigs and pro-Union Democrats who reluctantly followed North Carolina into the Confederacy when Fort Sumter and Lincoln's subsequent call for troops left North Carolina no alternative but secession. Once the state had seceded Vance supported the Confederacy even though as governor he was often at odds with the Davis Administration in Richmond. In 1864 Vance was running for reelection based upon his record with the support of fervent Confederates and moderate Conservatives. His opponent, former political ally and newspaper editor William W. Holden (1818-1892), was the nominee of the radical wing of the Conservative Party, which advocated a separate peace between North Carolina and the Union. Vance won the election overwhelmingly in

August 1864. DNCB, VI. 85-86.

¹¹ In May 1864 Vance supporters invited the Governor to address the voters of Rockingham County at the courthouse at Wentworth. Western Sentinel, (Winston, NC) 19 May 1864. Vance accepted the invitation and spoke to a large crowd at Wentworth on July 14. A Leaksville Holden supporter who was present at Wentworth that day also reflected the statement by Ball that Vance was careful in his remarks there for the benefit of his friend Thomas Settle. That Leaksville citizen in a letter to Holden remarked that Vance "did not touch on the main issue...the encroachments of the Confederate government on civil liberty..." North Carolina Standard, 27 July 1864.

¹² On the basis of Ball's description it would seem that Thomas Settle was domiciled in the "annex building" of the Wright Tavern on Main Street in Wentworth during the week of Governor Vance's visit in 1864. The "annex" was a frame two-story, four-room building, constructed prior to the Civil War for the overflow of overnight guests at the Tavern. The annex had been constructed to the west side of an older store building also owned by the Wrights that dated back to the early nineteenth century. The store and annex were demolished in 1932 and their materials used to construct a dwelling at 1123 NC 65 (Main Street) in Wentworth. These two buildings and the main Tavern building and office, all being in a row and in close mutual proximity gave the appearance of a long and continuous building for nearly a century. Personal knowledge of the Editor.

¹³ Mulberry Island was Thomas Settle, Jr.'s residence on the north side of the Dan River about half-way between Wentworth and Stoneville on River Road. Settle constructed the present plantation house just prior to the Civil War and he and his family resided there until they moved to Greensboro in late 1872. Greensboro Patriot, 30 October 1872. A state historical marker at the intersection of Settle's Bridge Road (S.R. 2150) and River Road (S.R. 2145) notes the location of the house which stands today, though much altered from its original appearance.

¹⁴ The role of the Ku Klux Klan in Rockingham County has never been adequately researched and thus was thought relatively insignificant in comparison to Klan activities in the neighboring counties of Caswell and Alamance. Research in recent years is beginning to dispel that belief. The situation in Rockingham County was explosive as Superior Court Judge Albion W. Tourgee, a "Carpetbagger," related in a letter to his friend, now state Supreme Court Justice, Thomas Settle written from Wentworth in June 1869: "Our only chance to avoid a widespread and bloody turmoil... is to push an iron heel upon those things [Klan activities] at once here and now... Please tell the Governor to be ready to send us 25 men at a minute's warning. Our [Republican] friends here are the most frightened men you ever saw- actually scared out of their wits." Letter, Albion W. Tourgee to Thomas Settle, Jr., 24 June 1869, Thomas Settle Papers, Southern Historical Collection, University of North Carolina at Chapel Hill.

¹⁵ The Rockingham County Klan's plots to dispose of Justice Thomas Settle and Judge Albion Tourgee were exposed a few years later in the Republican newspaper The New North State. The Tourgee plot consisted of an assassination of the judge during an orchestrated riot in the courthouse at Wentworth. While the scuffle apparently did take place the plan to murder the unpopular judge was not carried out. New North State, 28 March 1872.

¹⁶ Tradition in Rockingham County indicates that the principal leader of the Klan there was John S. Johnston (1842-1902), later County Sheriff and state legislator. Johnston lived

in the Ruffin community and was a childhood contemporary of Judge Settle's. Johnston would seem to be the obvious Klan leader cited by Ball. Tradition from James R. Meador, (1913-1998), local historian and genealogist of the Wentworth area.

¹⁷ "A Solemn Protest of the Bar of North Carolina Against Judicial Interference in Political Affairs," was printed in the 19 April 1869 issue of the Raleigh Sentinel. Among those who signed the "Protest" with Rockingham County connections were: John H. Dillard, Thomas Ruffin, Jr.; Alfred M. Scales, and Andrew J. Boyd.

¹⁸ Judge Settle's ban against attorneys Dillard, Scales, et als was reported in the 11 August 1869 issue of the North Carolina Standard.

¹⁹ This is in reference to a Klan murder and beating in the present New Bethel Township in southwestern Rockingham County on the evening of 24 July 1869. Klan members broke into the home of one Moses Lomax, a black man, killed Lomax's daughter, mutilated her corpse and beat one Lindsay Cummings, a male who also lived in the Lomax home. Cummings identified the assailants as Patrick Simpson, Alexander Barham and Thomas Hudson. An angry intimidating mob of local residents and the fact that the foreman of the coroner's jury investigating the murder was the father of one of the accused men led to the release of the three men. Cummings then solicited the aid of Judge Settle who issued warrants for the arrest of the men. Hudson was soon discharged but Judge Settle held the two remaining men to bail (\$3,000) to answer for the charge of murder. North Carolina Standard, 11 August 1869. In the fall 1869 session of Rockingham County Superior Court (Judge Tourgee presiding) the grand jury determined that there was insufficient evidence to prosecute these men and the charges were dropped. Rockingham County Superior Court Minute Docket, 1857-1874, p. 264, 'State vs. Patrick Simpson and others.' Rockingham County Office of Clerk of Superior Court, Wentworth, NC.

²⁰ James M. Leach (1815-1891), a Davidson County attorney, was a state legislator, Confederate congressman, presidential elector (1876) and United States Congressman (1859-1861, 1871-1875). A Democrat and an effective orator, Leach defeated Thomas Settle's attempt to unseat him from his Fifth North Carolina District Congressional seat in 1872. Leach was defeated for renomination to his seat in 1874 by fellow Democrat Alfred M. Scales, Rockingham County native, who won the fall election and the subsequent four congressional races. DNCB, IV, 258-259.

²¹ Ball is referring to two political meetings in Caswell County during the Fifth Congressional Campaign in June 1872. At a Republican rally for Settle in Milton on 21 June the speaker's stand and an American Flag were pelted by rotten eggs thrown apparently by supporters of Leach. Settle was uninjured during the fracas. At the Caswell Republican Convention held in the new Poteat's Warehouse in Yanceyville on the following day some of the same individuals who disrupted the Milton rally and others tried to cause a disturbance during Settle's address to the meeting. There are conflicting reports as to what actually happened at Yanceyville. The Republican press made much of the disturbance which the Democratic papers tried to downplay. Indeed Ball's account here seems to be somewhat embellished from what he even reported in the New North State. Oddly enough, a joint debate between Settle and Leach was held at Wentworth on 29 June 1872 with no such outbursts. New North State, 27 June 1872; Greensboro Patriot, 4 July 1872.

²² John Walter "Chicken" Stephens was a Republican state senator from Caswell County who was murdered by local Klan members in the Caswell County Courthouse on 21 May

1870 during that county's Democratic Convention. Stephens was a native of Guilford County and later lived in Leaksville and Wentworth. It was in Wentworth that Stephens acquired the nickname "Chicken" following a dispute with a neighbor over some of the neighbor's chickens that Stephens had apparently "acquired." Moving thence to Caswell County following the Civil War, the Republican activist was elected to the State Senate and his work with local blacks made him a marked enemy of the Klan. No one was ever prosecuted for Stephens' murder and it was not until 1935 that the circumstances and identities of the participants involved in the murder were disclosed in a statement made by the last surviving participant which was made public upon his death. William S. Powell, When the Past Refused to Die: A History of Caswell County, North Carolina, 1777-1977 (Durham, NC; Moore Publishing Company, 1977), 238-241.

²³ James T. Mitchell had served as a Captain in both the 13th and 59th North Carolina regiments in the Confederate Army. Following the war, Mitchell was active in the Klan in Caswell County and was one of the participants in the murder of Senator Stephens in the Caswell County Courthouse. Had Ball known at the time he wrote this chapter that Mitchell had been involved in Stephens' assassination it is unlikely he would have been as complimentary of the Caswell Democrat. Powell, When the Past Refused to Die, pp. 138, 190, 206, 238-241.

²⁴ Ball is making reference to an incident in Yanceyville in 1882 in which Postmaster Felix Roan allegedly shot and killed Nathaniel Lea Johnston (b. 1846), the son of prominent Caswell citizen Thomas Donoho Johnston (1800-1883). Jeannine D. Whitlow, ed. The Heritage of Caswell County, North Carolina, 1985, (Winston-Salem, NC; Hunter Publishing Company in cooperation with the Caswell County Historical Association, 1985), pp. 78, 314.

²⁵ The remarks made by the Rev. Egbert W. Smith at Settle's funeral in Greensboro's First Baptist Church were published in the 6 December 1888 issue of the New North State.

THE SPRING GARDEN SPEECH

By

THOMAS SETTLE, JR.
(1831-1888)

The following is an address that Thomas Settle, Jr. delivered to a large and integrated audience in Rockingham County on 22 June 1867. The speech was delivered at "Spring Garden" which in all probability refers to the militia mustering ground of that name just east of the intersection of North Carolina Highway 135 and Stone Mountain Road in Mayo Township. In this address, Settle presents his vision for the reconstructed South and the role therein to be played by the newly emancipated slaves. The following is from the speech written by Settle and preserved by his family. The society wishes to thank Mrs. Mary Glen Taylor of Richmond, Virginia for making a copy of the speech available for the Journal.

The Address

Many of the neighbors and friends, especially among the colored people, have expressed a desire to hear my views on public affairs. I am here today to comply with that request, and I am glad to see both races represented in my audience, for I have no arguments for the one that cannot be properly addressed to the other. Your rights and duties are mutual, and the sooner you understand them, the better for both.

This is a novel scene in Rockingham. You who were lately slaves, and you, who but lately owned them, are here today equals before the law, inquiring as to the best policy for governing your common country. How has all this happened? It is the result of certain causes which were intended to produce an entirely different state of things. The politicians of the cotton States had for a long time contended that cotton was king, and if they could divide the Union and separate the Southern from the Northern States, they could build up the richest and most powerful government on earth, upon the foundation of slavery. In 1860 and 1861 they had succeeded "in firing the Southern heart" to an extent that enabled them to "precipitate a revolution" which has worked out results a little different from their programme. In the first place, we did not exactly get out of the Union, though I confess it is somewhat difficult to find precisely where we are. Of one thing that I am certain, some of us are

trying to get back. In the next place, instead of perpetuating and extending slavery, it is dead forever, and you are here today with more powers and privileges than your most zealous and sanguine friends ever expect to be able to confer upon you.

At first the contest on the part of the most was for the Union. If Jefferson Davis had surrendered at any time during the first two years of the war you would have remained slaves. You are under no obligation to the secessionist for your freedom, although they were instruments in accomplishing it, for they intended just the reverse.

And although the Republican party who have conducted the government during and since the war, have proved themselves to be your best friends, still, at the outset they had no idea of being able to set you free. True, a party at the North, which we here at the South have sometimes denominated Free-soilers then Abolitionists, then Black Republicans and so on, have for many years, through much tribulation opposed the principal of slavery, and have fought hard to keep it out of the territories and to abolish it in the District of Columbia, and generally to alleviate its rigors and hardships; but even this gallant band of pioneers in the army of freedom never proposed to invade it in the States where it existed; and no party in this country ever grasped and comprehended the grand idea of universal freedom, until the necessities of the war prompted President Lincoln to issue a proclamation which will secure for his name a place in history second to none. So it seems that the nation was led up to this point without having set out to attain it. To whom then are you indebted for freedom? To him in whose hand is power and might. It is not in man that walketh to direct his steps. Man's goings are of the Lord. You are free men and citizens of the greatest government on earth, clothed with power to protect that freedom, and if you use it aright, and not abuse it, the government is on a higher road of prosperity today than any she has ever yet traveled. For whatever may have been said in other days, it will hardly be pretended, in the light of the present events, that freemen, animated by all the hopes of life, and knowing that their wives and children will enjoy the proceeds of their labor will not develop the resources of a country faster than slaves who have no objects or aims in life, and no incentive to labor save fear. If any portion of my audience have not surrendered old prejudices on this subject, let me enquire of them, why have the Northern States, with a poorer soil and a colder climate (all their disadvantages of soil and climate) so far surpassed their Southern sisters? Why do the bleak and naturally barren hills of New England bloom like gardens, while your fertile and sunny slopes are covered with broom sedge, and are commonly and properly described as "old field?"

Why do churches, school houses, railroads canals, steam boats, factories, work shops, cities, towns, beautiful villages and neat farm houses exist and flourish there, while poverty and pride constitute our fortune here? The one is the result of free labor, the other of slavery, which has been a blight and mildew upon every land it has ever touched.

Educated labor and machinery is what we now need to make this country what it should be. Heretofore we have not used the most improved implements of farming, but have contented ourselves to drudge along with rude and most awkward tools.

Those who have experimented with reapers, or other labor saving machines as implements of the farm, have thrown them aside, alleging various objections, but the truth is they did not know how to operate with them, and when the least part was broken or out of order could not be repaired this side of Yankeeland. To remedy this we must at once educate our laboring classes. This is an age of rapid progress and we cannot afford to wait--it must be done at once. There has been a general breaking up of the old ideas and we are now taking a new start in the world. The future weal or woe for this country depends upon the foundations we are now laying. If we are to have any prosperity, I tell you frankly we must make up our minds to look at several things in a very different light from that in which we have been in the habit of viewing them. We must bury a thousand fathoms deep all those ideas and feelings that prompted those cruel laws against teaching these people, and must quicken our diligence to see that the means of light and knowledge are placed within the reach of every one of them.

Let school houses dot our hills at convenient distances from all (and if there are to be any indictments let them to be against those who refuse or neglect to send their children to them), and then we may hope that those who were a curse to the country as ignorant slaves, will prove a blessing as intelligent freemen. The scythe and cradle will give way to the reaper, and the shovel to the sulky plow, and one intelligent laborer, with their aid will do more and better work than is now done by ten ignorant and clumsy hands.

There is another thing that must be reformed at once. It has been very fashionable to denounce Yankees and ridiculous Yankee notions. I tell you, Yankees and Yankee notions are just what we want in this country. We want their capital to build factories, and workshops, and railroads, and develop our magnificent water powers which are today as monuments of God's bounty and of man's indolence and ignorance. We want their intelligence, their money, and enterprise to operate these factories, and to teach us how to do it. We want them to make all of their Yankee notions here, and then we will not have

to throw our labor-saving machines away if a cog or bolt breaks. We want some of those same Yankee tricks played down here that have covered the North with railroads and canals. I am speaking as if there was but one interest here. Indeed, heretofore this has been purely an agriculture State, notwithstanding we have more natural advantages as a manufacturing and mining State than most of those which have drawn their wealth from the sources, grown rich by their factories and shops. This should not be so. In starting afresh, let us start new interests. We can do it by kindly inviting our Northern Friends who are seeking investments for their surplus capital to come here, and by showing them that they and their families are welcome in our midst, that we want them here as neighbors and friends, and not as enemies.

We should never again in public or private indulge in a single expression calculated to call up any of the bitter memories of the past. Let the dead past bury its dead, our thoughts and hopes should be on the future. We should all teach our children to love the whole Union, to celebrate the Fourth of July with the Yankee. They tell me that a Yankee loves a dollar most too well; if they love it any more than some men that I know, that were born and raised in Rockingham they are to be pitied. The worship of the golden calf in the wilderness was not the last instance of idolatry that some of you have heard of. I take it that you and the Yankees are just alike about money--all of you like to have it, and it is right that you should do so; for it requires money to educate and elevate mankind and to develop a country. Now convince the Northern man that it is to his interests to come here, instead of going to some new territory (for these new States and Territories are moving Heaven and earth to induce them to go there); that he can make more dollars here, and invest them more profitably and securely than he can there; that he can buy at a cheap figure good land in North Carolina, adapted to the cultivation of corn, wheat, rye, oats, cotton, tobacco, potatoes, and all kinds of fruits, or if he prefers it he can purchase for a song a splendid waterpower, and build a factory, or dig into some of our hills and bring out gold, silver, copper and iron in greater abundance than they can be found in the United States, except perhaps California. Do this, and the Northern farmer, mechanic, and miner will rush here and aid us in developing the wealth of this magnificent State. The factories will supply the farmers with all that they need, and the farmers in return will supply their needs and wants.

There is another fashion that had as well go out of fashion. Some of our people are daily declaring that they are better friends of the colored people than the Yankee, and that the Yankees are putting bad notions in their heads, and various appeals calculated to produce bad feeling. Well now, all that is

foolishness; first, because you can never make the colored man believe it; and secondly, if you could it would be wrong to do so. Sectional appeals of that character are unpatriotic. If they are going to prove what they say to be true, let them at once freely and cheerfully, not grudgingly accord to the colored man the full fruits of his freedom. If they are doing it freely and with a friendly spirit why criticize anybody else for doing the same thing? This is a new business, and our success and prosperity depends upon the good feeling that ought to exist between the white and the colored people. We want no white party or colored party, and I warn my colored friends against that idea. The Southern man who says or does anything to create bad feelings towards the North at this critical time is no patriot, and the Northern man who tries to stir up one portion of our people against the other is equally destitute of patriotism.

There is no reason why the two races should be at enmity but many good reasons why they should be friends; our common interest demands it, and I trust our hearts feel it. Surely slave owners can entertain no unworthy prejudice against a people who remained with them faithfully to the last, and forebore to participate in a struggle which, after 1863, was avowedly for their freedom. After that period they knew that one army was fighting for freedom, and the other for slavery; and yet they remained faithful, kind and obedient to, protecting and feeding the families of those who were trying to perpetuate their bondage. Here again in this remarkable contest we see conduct so contrary to the promptings of human feeling, that we are constrained to believe that a merciful providence was guiding the whole matter, with a wisdom above the reach of man. Then let us be friends and work together for our mutual advantage.

(We want no white man's party or colored man's party, but a party of principle; a party on whose banner is inscribed Liberty, Union and Equality Before The Law; a party that proposes to elevate mankind of all races and colors, and to develop the country. If white men support these ideas, well and good; if colored men support them, well and good; if both support them, still better. But the millennium has not yet arrived. I cannot close my eyes to what is going on--parties will spring up, and men must take sides.)

My advice to the white man is to be kind and just to the colored man, make fair and liberal contracts with him, and stand up to them even to your hurt, and it is precisely the same to the colored man. Heretofore the colored man has had but little opportunity to form general character; it will not be so hereafter. The broad world is now before you, and you will soon make some sort of a mark upon it. Your general bearing and your dealings with men will

soon make for you a general character. You can make it good, bad, or indifferent, just as you see proper. Honesty, industry, economy, sobriety, truth, virtue and intelligence will secure for you all that any man should desire. You should look to the virtue and integrity of your children--teach them to speak the truth from the first time they first began to lisp, for you know that (those) who oppose your enfranchisement are in the habit of charging the whole race with falsehood; and indeed we all know too well that deception was an incident of slavery; but since the principal has fallen let the incident fall with it. The responsibilities and duties of freedom and citizenship are important, and you must now qualify yourselves to discharge them intelligently and honestly. If you fail to do so you will soon find a level which will not be very much higher than slavery. Every good white man will encourage (and) assist you to prepare to meet and discharge your new duties as citizens.

While I tell you that those who are denouncing the Yankees and swearing that they are your best friends, are more time-serving demagogues, let me also say to you, beware of any man, whether of Northern or Southern birth, who tries to influence your passions and prejudices against the white race and to build up a colored party on those passions and prejudices. He who does it is an enemy alike to the white and colored man, and is seeking some personal advantage at the expense of the country, to say nothing of right and wrong. See what madness it would be for you to form a party on such a basis in North Carolina. You only constitute one-third of our population, and unless you can get a large portion of the whites to join you, you will be in a helpless and hopeless minority. How can this be done? By throwing a banner to the breeze with "Liberty," Union and Equality before the Law," inscribed upon its folds. Let hate and prejudice have no place there. Elevate yourselves, but pull nobody else down. Go for the education and progress of mankind without regard to race or color, and invite all to come forward and assist in the development of our common country. These principles are founded upon a rock and cannot be moved. They are good for the white man and good for the colored, although they are likely to be subjected to many storms, for while I would rejoice to see all men unite upon a platform so reasonable and just, I do not believe that the millennium has yet arrived. I cannot close my eyes to what I see going on around me.

On the 27th of March last I attended in Raleigh the largest and most enthusiastic convention that ever assembled in North Carolina, and we threw the banner of the only national Republican party in existence in this country to the breeze, with the principles which I have before indicated inscribed upon

it. In order to carry out these principles we endorsed the measures adopted by Congress for the reconstruction of the Southern States; and I had hoped until recently that they were to meet with no opposition, but Gov. Perry, of South Carolina, and Gov. Sharkey, of Mississippi, have both declared eternal opposition to the whole plan, and no doubt they have many sympathizers. It is said that prominent politicians in this State are advising and encouraging opposition. But I will not call names as I do not wish to assign any gentleman a position until he takes it for himself publicly. But here is our banner and here are our principles, and we invite all to join us who endorse them, and who intend to labor in good faith for their establishment, whether they be white or colored men. Let all those who are not disfranchised register and then vote for men who will carry out these ideas in a convention. I would say to all Confederate soldiers that General Longstreet has publicly attached himself to the great Republican party, and is advising all of his old comrades to pursue the course that I recommended here today.

There has been a great deal said about confiscation and you wish to hear my views on that subject. I do not profess to know more about it than you or anybody else. I can only judge on the facts before me. Congress could have passed confiscation laws long since, if it had felt disposed to do so. The fact that it has not done so is very conclusive evidence that it does not wish or intend to do so. As it has not been done, I do not believe it will be, unless the spirit of secession shows itself to be so strong and defiant that the government may resort to confiscation in order to crush it. I do not say that there will not be confiscation, but I do not believe that it will be general and indiscriminate. The past and future conduct of some may provoke it. (I would say to my colored friends that I do not believe that any of you will be benefitted by it. Do not build up your hopes and calculations upon it. I know that the enemies of the Republican party are daily asserting that it is a nigger party, and that it intends to degrade the white man in the South.) This country will be much better off if it never takes place at all.

But you want land and you want it cheap; well, you can get it almost at your own price. The Southern States are covered up head and heels with debt. Stay laws and military orders have been keeping off the day of settlement, but the days of grace are nearly spent. It is not worth while to inquire whether we like or dislike it, it has passed beyond our reach.

Bankruptcies, voluntary and involuntary, are now open, and property of every description will soon be for sale. You are poor, but out of debt; at large tell me who has much. A little money will buy a good deal of land now; a large majority of the whites, though surrounded at present by property, are sinking

under the weight of their indebtedness. You are really in a better condition than a large portion of the white people. Then save your money and buy land is my advice, and it is the advice of such men as Senator Wilson, of Massachusetts, and Judge Kelly of Pennsylvania, whose lives have been spent in laboring for the education, for the elevation and advancement of mankind. I do not believe that the Republican party desires to confiscate the estate of any man. It is true that Mr. Stevens and other prominent members of the party avowed that they did, but I speak of the action of the party, and not of the individual members of the party.

I know that the secessionists are in the habit of charging that the Republican party is a nigger party, and that they are seeking excuses to confiscate the land in order to degrade the Southern white man. I am aware that they injure the Republican party more with this charge than with all their other arguments combined. Now I contend that the government (which has been administrated by the Republican party) has been the most magnanimous government on earth to rebels; and that it is base ingratitude in men who staked and lost all, to be misrepresenting a party who are offering them the hand of friendship: and who are trying to pull down none, but to elevate all.

I will merely remark for the benefit of those who say that confiscation is an emanation of infamy and baseness, that in 1862, the Congress of the so-called Confederate States passed a confiscation law, and Jefferson Davis approved it. By virtue of that law I was sued in a Confederate court, where it was sought to make me surrender the property of Judge Douglas' minor children. I received no favors in the matter, though I sought one of a cabinet officer in Richmond, who had served with Judge Douglas in the Senate, and who I supposed would be moved by more magnanimity; but had that been my only reliance the personal property would all have been gone. I had to fight it out and stave it off until the death of the Confederacy brought relief. I only mention this to close the mouths of those who seem to think that confiscation is the sin of all villainy and that it originated with the Republican party. I was opposed to it then and I am opposed to it now. I think the United States government will not follow the bad example of the Confederacy. Independent of other considerations, I believe that the general demoralization following it would be of incalculable harm to society.

The practical issue now before us is the acceptance or rejection of the reconstruction plan of Congress. It seems to me to be madness and folly to oppose it. Let us unite then and carry it over all opposition. You cannot do it with every man pulling in a different direction, hence the necessity for organization. The Republican party is committed to it if the South but does

its duty. Act then with this party, take its name, and its principles, and stand by its men and its measures. The Republican party was the instrument in the hands of Providence to make all men free; for which the white and colored men ought to rejoice together, for they are both greatly benefited. It is the part of progress, of education and development. Kind to all, cruel to none. "Nigger party" indeed-- see what it has done for the white man in the Northern States, where they have but few colored men--it will do the same for all of us here if we will only give it an opportunity. The war left many objects of charity in the land. The government today, under the management of this party is literally feeding the hungry and clothing the naked, without regard to race or color. Anyone who is really an object of charity can obtain food by making that fact appear. It is the party of humanity.

Let me in conclusion say that I have not come here today to speak for myself. I participated in the rebellion and am disfranchised. It is not worth my while, even if I felt ambitious, to curry favor with white men or colored men; of course I do not pretend that I am indifferent; I would rather it were otherwise with myself and everybody else, but let me tell you that if I live till the grief kills me, because of disfranchisement, history will record one older man than Methuselah.

(Some of you may say that I am not consistent. I do not pretend to be. I trust I shall ever have the manliness to surrender opinion when I am convinced that I am an error. I say that the catch phrase "consistency is a jewel" has done more harm than ever it did good. It is human to err, and it is also human to be heady and conceited. A great many boast of their consistency when they are only consistent to errors which they ought to confess and renounce at once.)

(It is right and proper that we should all remember that slavery is a national sin. The North is as much responsible for its introduction here as the South. They had the good sense to get rid of it, while the South was foolish enough to try to perpetuate it; but so far as the sin and social evil are concerned, both are equally guilty.)

I am at least in a position to give you disinterested advice. I do not know that I have pleased anybody. True, I have an interest to this extent. This is the land of my birth. I do not propose to leave it. My home is here, my grave will be here. My children are here, and I wish them a government fit to live in. The object of my ambition now is to see this country developed. I have witnessed the first great step. I have seen freedom take the place of slavery. I wish now to see vice give way before virtue, ignorance, poverty and want, to intelligent, happiness and wealth. A word about social equality, as a good deal has been said about it. Social equality does not exist now amongst the whites,

and no law has ever attempted to regulate that matter in this or any other country. Every man chooses his own company. The virtuous form one association and the vicious another. This matter regulates itself, law cannot do it.

(I have heard that there are two classes of persons opposing the reconstruction plan, for entirely different reasons. A portion of the whites think that if they can only drift over present troubles, and stave off for a season any settlement, there will soon be a reaction in public sentiment and that the colored man will not be permitted to participate in the affairs of government. On the other hand, a portion of the colored people have been induced by political adventurers to believe that if the measures now proposed are defeated, that Congress will then confiscate and divide out land. I feel very confident that neither class will succeed in accomplishing their purposes, though they may do a great deal of harm by relaying the day of our prosperity. I will say to the whites that so far as human rights are concerned, no steps will be taken backward on this continent; and I will say to the colored man that if they defeat the very plan that Congress had devised for their elevation, they will thereby do themselves more injury than all their enemies are able to do them. Congress will understand it all, and they are not going to punish one portion of our people for the misdeeds of the other.)

(The new States and Territories have emigration societies, and their agents are in all the Northern states begging foreigners, Yankees and the rest of mankind to take their capital, their bone and sinew to the great West. We have no one there to invite them or show them the way; on the contrary, most of our newspapers seem to regard it as a solemn duty to remind them every week that they are a very dirty set of fellows, unfit to associate with the Southern quality. Let this folly cease at once and forever.)

ROCKINGHAM COUNTY HISTORICAL SOCIETY

The Rockingham County Historical Society was organized in 1954 in the efforts to preserve a portion of our county's fading history. Among the benefits of membership are the mailings consisting of the quarterly newsletter, which contains news items and short articles on local history and genealogy and genealogical queries from members; and *The Journal of Rockingham County History and Genealogy*, published twice a year. The *Journal* contains in-depth articles on local history as well as abstracts of original documents. The Society is now restoring Wright Tavern in Wentworth which serves as our headquarters. Our office is on East Main Street (NC 65) across the street from the County Courthouse in Wentworth. Our office phone number is (336) 342-5901. We encourage you to participate in all of the Society's numerous activities!

I wish the following class of membership in the **ROCKINGHAM COUNTY HISTORICAL SOCIETY, INC.** All memberships are annual except the Life Membership, which is permanent. Student members will not receive the society journal. All annual memberships run with the calendar year, January - December.

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